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Reconstruction in West Virginia

By Milton Gerofsky

PART I

The Background of Reconstruction

Reconstruction in West Virginia was marked by revengeful legislation and the struggle of a minority to retain that extra-legal political power which characterized the transition between war and peace in the Border and former Confederate states.[1] At no other time in the history of West Virginia has the state been under a greater political strain. The people, separated by geographic conditions and divided sympathies, had developed no political, economic, or cultural unity.

It was an era of mistrust, suspicion, and lawlessness. Petitions and appeals for protection at home, justice in administration of civil government, and release from unjust imprisonment poured into Governor Boreman's office.[2] In some parts of the state, especially along the southern and eastern borders, civil authorities were helpless. In Greenbrier, Monroe, Logan, Hampshire, Hardy, Jefferson, and Berkeley counties, disfranchisement of a large portion of the population was added to the bitterness of defeat in a cause with which they were in sympathy. Union sentiment was strongest in the Northern Panhandle and in counties along the Baltimore and Ohio Railroad and Ohio River; it was weaker in the interior counties, while in counties along the southern and eastern borders, it was weakest.[3]

Although there was an overwhelming vote cast against the Secession Ordinance in western Virginia,[4] after the

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[1] Hilary A. Herbert, *Why the Solid South?* (Baltimore, 1890), p. 258.
[2] *Calendar of the Arthur I. Boreman Letters* (Charleston, 1939), preface ii.
[3] Herbert, *Solid South*, p. 259.
[4] James Morton Callahan, *History of West Virginia, Old and New* (New York, 1923), Vol. I, p. 353. Of a total of 44,000 votes in western Virginia, 4,000 voted for the ordinance of secession. The election was held May 27, 1862.

war had actually begun and Virginia had become the scene of conflict, the divided sympathies were expressed in the enlistment of rolls of the Federal and Confederate armies. According to the most authentic estimates, West Virginia furnished between twenty-eight and thirty-six thousand soldiers for the Federal armies. To the Confederate armies went approximately nine thousand West Virginians drawn mainly from the southern and eastern counties;[5] many of the inhabitants of these pro-southern counties who did not enlist in the Confederate forces remained at home and organized guerrilla bands which harassed the countryside.[6] Thus, in 1863, when the new state was created, a large majority of the legal inhabitants of the counties embraced within its limits played no part in the formation.[7]

The formation of West Virginia was the work of her First Constitutional Convention. On October 24, 1861, delegates to the convention were elected at the same time that the dismemberment ordinance was ratified, 18,408 to 781.[8] The convention convened in Wheeling on November 26.

In the regular session, November 26, 1861, to February 18, 1862, there was a total membership of fifty-three which was raised to fifty-six in the recalled session, February 12 to 20, 1863.[9] There was, however, much irregularity. Because of disturbed internal conditions, there were no delegates from Webster and Monroe counties in either session. Calhoun, Clay, Fayette, Logan, McDowell, Mercer, Nicholas, and Wyoming counties were represented through efforts of petitioning groups dominated by Federal military forces of the Methodist Episcopal church.[10] Under the protection of Federal bayonets, elections were held in Hardy and Hampshire. In the recalled session, Pendleton, Pocahontas, Greenbrier,

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[5] Charles Henry Ambler, *West Virginia, The Mountain State* (New York, 1940), pp. 343-344.
[6] Charles Henry Ambler, "Disfranchisement in West Virginia," in *Yale Review*, 14, May and August, 1905, p. 38.
[7] *Ibid.*, p. 38.
[8] Ambler, *Mountain State*, p. 371.
[9] *Ibid.*, p. 371.
[10] *Ibid.*, p. 371.

and Morgan counties were represented by irregularly chosen delegates.

A constitution was framed for the new state and subsequently ratified. The total participating vote was 19,376 of which number 18,862 were for the new state constitution to 514 against it.[11] From a voting population in 1860 of more than 50,000, West Virginia in 1863, began its career with the consent and approval of less than 19,000.[12] These figures are significant in that they show that the people opposed to the ratification of the new constitution did not vote; not that they did not exist. Thus the constitution of 1863 and the officers elected under it derived their authority from a minority composed of scarcely more than one-third of the voting population of the state.

The new state was to feel the pain of this disunity. Counties along the southern border were partially under the control of the Confederates until near the close of the war; they were forced to pay heavy taxes and furnish troops to the Confederate armies.[13] Governor Boreman complained to the Federal government that the state troops were not able to cope with the bands of guerrillas and marauders who were harassing southern and eastern counties. West Virginia was thereupon made a military department and Brigadier General Benjamin F. Kelley placed in command, June 24, 1863.[14]

Kelley dispersed many of these bands and generally made life and property secure; but, in some parts of the state, the civil authorities were helpless against lawlessness long after the end of the war.[15] In this sad state of disorder, Boreman issued a proclamation in which he called upon the people to organize into companies for their own protection and to capture and kill these outlaws. "There is no law for them," Boreman said, "but the law

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[11] *Ibid.*, p. 382.
[12] Herbert, *Solid South*, p. 259.
[13] *Callahan, West Virginia*, p. 259.
[14] *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, 1881-1901), series I, Vol. XXVII, pt. 1, p. 2.
[15] James Morton Callahan, *Semi-Centennial History of West Virginia* (Charleston, 1913), p. 161.

of force to be administered wherever they may be found."[16]

In his message to the legislature in January, 1864, Governor Boreman reported that there had been no material change in the condition within the state. The southern portion was still within Confederate lines. On account of the existence of war about one-half of the counties had paid no taxes and others had not paid in full. Some parts were still infested with bands of marauders who robbed and plundered. The governor believed that the disloyal of the neighborhood were aware of the presence of these bands and that they very frequently fed and lodged them. The loyal people did not detect marauders until their property was stolen, or they themselves were captured and carried away as prisoners. Concluding this phase of his message, Boreman declared, "It is absolutely necessary to our peace, and to the continuance of civil organization in many of the counties that these captures cease, and I intend, if it be possible, that these shall cease."[17]

Under these conditions the anger of the party in power expressed itself in proscriptive and unjust enactments. Before the close of the war, it was evident that a struggle, which would involve the privilege to participate in government and extend even to the right of earning a livelihood, was inevitable.[18]

The struggle came, and for six years many inhabitants, charged with disloyalty, were disfranchised and disqualified from participation in government. Persons not able to take the lawyer's, teacher's, or suitor's oath were not allowed to engage in those vocations.[19] Wage earners were refused pay for their services, and resort to the courts was closed to them because they were not able to take the suitor's oath.[20]

During the Reconstruction the courts were slavish to a partisan legislature. In the main, the constitution of 1863

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[16] "Governor's Message," in *Journal* of the House of Delegates of West Virginia (1863-1871), January, 1865.
[17] "Governor's Message," January, 1864.
[18] Ambler, "Disfranchisement," p. 38.
[19] *Ibid.*, p. 38.
[20] *Ibid.*, p. 38.

was a fair and equitable document. In a short time, its construction was so warped as to legalize proscriptive and unjust laws.

During the five years which immediately followed the end of the war, the former Confederate soldier's condition was reduced to this: he was denied citizenship in the place of his birth; he could not hold office; he could not vote; he could not practice law; he could not teach school; and he could not make defense to suits brought against him in his absence.

The problems of Reconstruction in West Virginia differed from those of the Southern states. The subsequent conflicts in this state were between whites and whites, natives of the same state; in the South they were between northern carpetbaggers and southern scalawags and loyal Southerners. Moreover, the problems coming in the aftermath of the war were solved locally in West Virginia, whereas the problems of Reconstruction in the South were finally solved by the Federal government.

WAR MEASURES

In view of the turbulent conditions existing in the state, the first legislature held under the new constitution adopted a number of war measures. One of the earliest of these was an act providing for the forfeiture of property which belonged to enemies of the state, including those who joined the Confederate forces.[21] Such property, however, was confiscated only in a few instances and the law remained practically a dead letter. This law gave the appearance of authority to alert "home guards" bent upon maintaining loyalty and to self-constituted authorities bent upon indiscriminate maraudings and vengeance.[22]

In his message to the legislature in June, 1863, Governor Boreman recommended that the legislature require that no person shall vote or hold office till he has taken an oath to support the Constitution of the United States

[21] West Virginia Legislature, *Session Acts (1863-1871)*, 1863, pp. 131-135.
[22] Ambler, *Mountain State*, p. 425.

and the Constitution of West Virginia. "It may be said," continued the governor, prophetically, "that the passage of these laws will be going too far, but I ask the legislature to act as the imminent peril of the country demands."[23] Later, the forcing of this oath from attorneys, teachers, school trustees, and others became a favorite tool of discrimination and persecution in the hands of the Republican party.[24] In the meantime, Confederate sympathizers were being arrested and held for varying periods as prisoners of war. Likewise staunch Unionists were being seized by Confederates and taken to southern prisons.[25]

Although actual warfare had ceased in 1865, sources of friction and disorder remained.[26] Of these, the most conspicuous related to the political status of those who had joined or supported the "Lost Cause."[27] In good faith and without desire for revenge, Confederate soldiers laid down their arms and returned in peace to build anew and start again as useful citizens.[28]

Section I, Article 3, of the Constitution of 1863, extended the right of suffrage to all white male citizens of the state. The clause provided that:

> The white male citizens of the state should be entitled to vote at all elections held within the election district in which they respectively reside; but no person who is of unsound mind, or a pauper, or who is under conviction of treason, felony, or bribery in an election or who has not been a resident of the State for one year, and of the county in which he offers to vote for thirty days next preceding such offer, shall be permitted to vote while such a disability continues.

This instrument also defined citizens of the state. "The citizens of the state are the citizens of the United States residing therein."

The first election laws of West Virginia, passed in 1863, provided for election supervisors and inspectors who were authorized to require, from those whose eligibility

[23] "Governor's Message," June, 1863.
[24] Ambler, *Mountain State*, p. 425.
[25] *Ibid.*, p. 425.
[26] Maud F. Callahan, "Evolution of the West Virginia Constitution," *Studies in West Virginia History*, Nos. 1 and 2, 1909, p. 25.
[27] Callahan, *West Virginia*, pp. 401-402.
[28] *Ibid.*, p. 402.

to vote was in doubt, an oath to support the Constitution of the United States and of West Virginia. This oath was required of all election officers.[29]

In this state, supporters of the Union cause believed that it would not be safe to place political power in the hands of those who had aided the South after their return from the Confederate armies until they had shown their willingness to comply in upholding the established order.[30]

In his message to the legislature in January, 1865, Governor Boreman called attention to the fact that:

> One feature of this condition of things is that many of the disloyal in our midst who have remained at home, feed and harbor these marauders and murderers, knowing their purposes, while the latter are preparing to do their devilish work and conceal the fact of their presence by the loss of their property or a murder in their midst. The course of these disloyal persons is reprehensible beyond degree, and I trust you will enact a law imposing the severest penalties on them, but with provisions so guarded as to protect the innocent. I have no hope that any law can be prepared that will secure the punishment of the principal marauders and murderers. There is no law for them but the law of force, to be administered wherever and whenever they may be found.[31]

The criminal activities complained of had been perpetrated by organized bands of Confederate soldiers.[32] They carried on their criminal activities in Upshur, Marion, Barbour, and Harrison counties.[33] Because of prevailing conditions, the chief executive's complaint was justified. The war was still in progress and guerrilla warfare had imperiled the state.[34]

At the election held in the fall of 1864 there was little opposition to the Republican candidates. A Democratic ticket was placed in the field, but it received only scattered votes.[35] Lincoln carried the state with 23,233 votes to 10,437 for McClellan. But the votes for McClellan alarmed

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29 *Session Acts* (1863), p. 119.
30 Callahan, *West Virginia*, p. 402.
31 "Governor's Message," January, 1865.
32 Ambler, "Disfranchisement," p. 41.
33 Wheeling *Daily Intelligencer*, September 28, 29, 30, 1864.
34 Ambler, "Disfranchisement," p. 41.
35 George Atkison and Alvaro F. Gibbens, *Prominent Men of West Virginia*. (Wheeling, 1890), pp. 118-119.

the Republicans. The war was rapidly coming to an end. Already Confederate soldiers were straggling home. They would help to swell the ranks of a dormant Democratic party and thus grasp political control from the hands of the Republicans. Furthermore, there was nothing in the constitution or laws of the state that could prevent these returning Confederate soldiers from voting.[36]

With this in mind, the legislature, on February 25, 1865, enacted one of its war measures—the voter's test oath. James H. Ferguson, of Cabell County, the author of the bill, declared, "I do not want the rebels to have any share in government. If they do I shall be defeated by five hundred votes."[37] This was aimed at the "Rebels" who were in actual hostility against the established order, and is not to be interpreted as a desire on the part of Ferguson to prohibit former Confederates from voting.[38] The next year Ferguson urged universal manhood suffrage. Because of its subsequent importance the voter's test oath is given in its entirety:

> I, A. B., do solemnly swear that I have never voluntarily borne arms against the United States, the reorganized government of Virginia, or the State of West Virginia; that I have not at any time sought, accepted, exercised, or attempted to exercise any office or appointment whatever under any authority, hostile or inimical to the United States, the reorganized government of Virginia, or the State of West Virginia; that I have not at any time yielded a voluntary support to any government or pretended government, power or constitution within the United States hostile or inimical thereto, or hostile or inimical to the reorganized government of Virginia, or the State of West Virginia; that I will support the Constitution of the United States and the Constitution of the State of West Virginia; and I take this oath freely without any mental reservation or purpose of evasion.[39]

The constitutionality of the voter's test oath was debated in editorial columns throughout the state.[40] It was pointed out that it violated the Constitution of West Vir-

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[36] Herbert, *Solid South*, p. 262.
[37] Ambler, "Disfranchisement," p. 41.
[38] *Ibid.*, p. 41.
[39] *Session Acts* (1865), pp. 47-48.
[40] Wheeling *Register*, October 13, 1865.

ginia which said that: "All white citizens of the State shall be entitled to vote." Not only did the Wheeling *Register* declare the voter's test oath unconstitutional, but it continued that:

> The impolicy of the stringent test oath . . . is painfully apparent in the difficulty in organizing some of the border counties and restoring the supremacy of the law . . . It is seen that not enough persons can be found in these counties to fill the required offices who can take the oath prescribed by the Legislature.[41]

Another measure of this legislature was tinged with bitterness toward the proscribed. It required that any person who bore arms or held a civil or military position under any "pretended government," in opposition to either Federal or state governments, except those who were in the army of the United States as volunteers or who were honorably discharged, "shall take and subscribe an oath to support the Constitution of the United States and the Constitution of the State of West Virginia . . . within thirty days after being notified to do so by any person."[42] Failure to comply would mean fine or imprisonment.[43]

Another measure provided that cases arising in counties of strong pro-Southern leanings could be decided in near-by Union counties.[44] Another act authorized the governor, auditor, and treasurer, if they found it expedient, to grant extra commissions not exceeding ten per cent on the amount of state taxes collected to the sheriff or collector of taxes in any county. This act did not apply to Hancock, Brooke, Doddridge, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Ritchie, Wood, Harrison, Taylor, Tyler, Pleasants, and Mason.[45] It may therefore, safely be assumed that the law did affect those counties with pro-Southern leanings. Still another act dictated a test oath for suitors "engaged in Rebellion."[46]

Finally the alleged vindictive spirit of the legislature

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[41] *Ibid.*, May 14, 1865.
[42] *Session Acts* (1865), p. 37.
[43] *Ibid.*, p. 37.
[44] *Ibid.*, p. 37.
[45] *Ibid.*, pp. 46-47.
[46] *Ibid.*, pp. 66-67.

culminated in a proposed amendment to the Constitution of West Virginia. It proposed that:

> No person who, since the first day of June, eighteen hundred and sixty-one, has given or shall give voluntary aid or assistance to the rebellion against the United States, shall be a citizen of this state or be allowed to vote in any election therein, unless he has volunteered into the naval or military service of the United States and has been or shall be honorably discharged therefrom.[47]

The mode of amendment fixed by the constitution required the proposition to be agreed to by a majority of each house of the legislature; published in each county for three months before the next general election; agreed to a second time by a majority of each house and then submitted to a vote of the people. If a majority of the qualified voters voting upon the question, ratified the proposed amendment, it would be in force from the time of such ratification as a part of the constitution of the state.[48] Fearing that the test oath was not valid, the legislature desired to place it in the constitution.[49] To former Confederates returning with intentions of rebuilding their old homes and again becoming useful citizens, the proposed amendment would be a hard and cruel blow.

Proscription extended even to the bench and resulted in the impeachment of Judge John W. Kennedy of the tenth circuit composed of Morgan, Berkeley, and Jefferson counties. Judge Kennedy was charged with the use of the following derogatory language: "Huzza, Old Abe Lincoln has run away from Washington City—Huzza." Charges of disloyalty were sustained against Judge Kennedy on the ground that he had appointed "Rebels" to office and that he denounced the Reorganized Government of Virginia as "an usurpation, and that the government of West Virginia was a bogus concern."[50]

In many cases the test oath was opposed on the ground that it operated against persons who had accepted the

[47] *Ibid.*, p. 94; see Wheeling *Register*, October 14, 1865.
[48] *Constitution of West Virginia*, Article XII.
[49] Callahan, *West Virginia*, p. 402.
[50] *Session Acts* (1865), pp. 80, 92, 93.

results of the war and who maintained that they should have full recognition as citizens under Lincoln's amnesty proclamations of July 8, 1863, and December 8, 1863.[51] Claiming the test oath to be unconstitutional, many former Confederates entered upon the work of government reorganization, especially in the border counties.[52] In many parts of the state, they were upheld by citizens who contended that since the war had ended the law was unwise, unjust, and contrary to democratic government.[53]

Following Appomattox, this political warfare tended to stop for a time.[54] The attitude of Grant and Lee appeared to ease the high tension of the political atmosphere in the state.[55] The former Confederates who now returned, and those who had already returned, accepted the results of the war.[56] Peacefully they returned to build anew desolate homes and to take their places in the peaceful occupations of life.[57]

At this time there was not any law, except the voter's test oath, which would prohibit them from participating in political activities. This was not to be a lasting peace; it was the quiet period before the storm. There were indications that those who remained loyal did not meet the former secessionists half way in their attempts to adjust themselves to peaceful lives. Even after peace had been declared the organizations which Boreman had recommended in his message, January, 1865, continued to function.[58]

E. M. Norton, a United States marshal assigned to West Virginia, fearing that the returning Confederates would meet with foul play, requested military aid from his commanding officer in the state. The following is the reply:

Grafton, W. Va., May 20, 1865

E. M. Norton, U. S. Marshal:

I am directed by the Brevet Major General commanding to

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51 Callahan, *West Virginia*, p. 402.
52 Wheeling *Register*, June 6, 1865.
53 Callahan, *West Virginia*, p. 402.
54 Ambler, *Mountain State*, p. 427.
55 Ambler, "Disfranchisement," p. 44.
56 *Ibid.*, p. 43.
57 Ambler, *Mountain State*, p. 427.
58 Ambler, "Disfranchisement," p. 43.

> furnish you such military forces as are necessary to protect citizens to whom peace has been granted by the United States authorities. Notify me, when, where, and how much force you require.
>
> Signed,
> Francis Fessynder
> Brev.-Gen.[59]

In counties bordering Virginia, notably Greenbrier and Monroe, it would be almost impossible for civil government to function without the assistance of former Confederates, and there were few persons here who could take the test oath.[60] In the extreme western part of the state, the test oath was so narrowly interpreted and so strongly enforced that one man, John A. Hutchinson, performed the duties of state's attorney for three or four counties simultaneously. No other attorney agreed to take the voter's test oath. In Wood County, state's attorney Jackson would not take the test oath on the ground that he had already taken an oath to support the Constitution of Virginia. He was ordered to resign and Hutchinson was assigned to his position.[61]

Soon Governor Boreman began to receive letters informing him that:

> The spirit of rebellion still reigns in the breast of these men and would manifest itself in all its destructiveness on their restoration to office and power; former slaves were being treated with 'unthinkable' cruelty by 'rebels' and that loyal persons were forming committees of safety for their protection.[62]

From Wayne County one John W. Holt requested that a company of militia be sent to that county. Holt wrote that "the majority of the people here are 'rebels' . . . people from Logan county and Pike county, Kentucky often come into Gassville 'Hurrahing for Jeff Davis,' cussing the government."[63] In Greenbrier County, Samuel Price, lieutenant governor of Virginia during the last years

[59] *Ibid.*, p. 44.
[60] *Ibid.*, p. 44.
[61] *Ibid.*, p. 44.
[62] *Calendar of the Arthur I. Boreman Letters*, pp. 53-56.
[63] *Ibid.*, p. 57.

of the war, and Allen T. Caperton of Monroe County, a former member of the Confederate State Senate, were arrested by a squadron of cavalry and taken to Charleston as civilian prisoners.[64]

Of the approaching election in the fall of 1865, the Wheeling *Daily Intelligencer* declared that:

> If men disqualified by reason of their treason against the United States are to be allowed to vote . . . in open defiance of law, law abiding citizens have a remedy,—the voter's test oath . . . Better contest half the seats of the legislature than have men sit there by virtue of the suffrage of those whose hands are yet red with the blood of our loyal soldiers, and whose hearts are yet black with their treason.[65] There is evidence of a determination in certain quarters, on the part of returned rebels and other persons accused of treason against the United States to vote at the election . . . They mean to do this through the connivance or intimidation of the officers of election, and in some localities, failing in these expedients they propose to break up the election altogether.[66]

In the election, the test oath was not strictly enforced, and in a few places it was completely ignored.[67] Not only was the test oath disregarded, but in some places, former Confederates ran for office and many, including Samuel Price, who was elected to the judgeship of his home circuit, were elected to the legislature and to county and township offices. From Greenbrier County, Henry W. Matthews, a former major in the Confederate army, was chosen for the House of Delegates, and Doctor J. J. Thompson of Putnam County represented his senatorial district in the West Virginia Senate.[68]

The election of these former Confederates had an immediate effect on the legislature and the governor. In January, 1866, when the legislature convened, Thompson and Matthews were legally asked to take the test oath and were expelled for refusing to comply.[69] Of the election of Samuel Price to the judgeship, Governor Boreman, in his message to the legislature, declared that:

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[64] Ambler, *Mountain State*, p. 428.
[65] Wheeling, *Daily Intelligencer*, October 21, 1865.
[66] *Ibid.*, October 21, 1865.
[67] Ambler, "Disfranchisement," p. 44.
[68] Ambler, *Mountain State*, p. 429.
[69] West Virginia House of Delegates, *Journal* (1863-1871), 1866, p. 4.

> I have . . . taken the responsibility of declining to issue a commission to him for the high and responsible position to which he claims to have been elected. I cannot commission to so high and important an office one who has so recently been engaged in efforts to destroy and to overthrow the government of the United States.[70]

When West Virginia was first admitted into the Union, Berkeley and Jefferson counties were not included. Separate acts were passed admitting them into the state.[71] A large number of the legal inhabitants of both counties were sympathetic toward the Confederacy at the time the vote was taken on annexation. At the time many of the inhabitants were with the Confederate armies.[72] By the fall of 1865, these inhabitants had returned to their homes. It became evident that there were many people in both counties, particularly Jefferson, who, by reason of their geographical location and social status and sentiment, wished to live under the jurisdiction of Virginia. For that reason, they maintained that the transfer of the two counties to West Virginia was irregular, unconstitutional, and void. They refused to acknowledge that they were West Virginians. They prepared to hold an election for members of the Virginia General Assembly, and vote for a member of Congress in the old Virginia district on the day when Virginia elections were to be held.

Governor Boreman issued a proclamation of warning, ordered the arrest of all who should attempt to hold the election, and at his request, Major-General Emory, commanding the district of West Virginia, was detailed with sufficient force to aid the civil officers in maintaining the law. Thus trouble was averted.[73]

Virginia, too, tried to secure the return of Jefferson and Berkeley counties. By unanimous vote, the Virginia legislature repealed the act of transfer, which had been passed by the Virginia Reorganized Government.[74] In

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[70] "Governor's Message," January, 1866.
[71] Ambler, *Mountain State*, p. 405.
[72] Richard Ellsworth Fast and Hu Maxwell, *The History and Government of West Virginia* (Morgantown, 1901), pp. 150-151; see Wheeling *Daily Intelligencer*, October 10, 1865, for proclamation.
[73] *Ibid.*, p. 151.
[74] Ambler, *Mountain State*, p. 407.

1866, Virginia sued West Virginia for the two counties. In 1868, the case was settled in favor of West Virginia.[75] The decision was accepted as final, and by implication at least, settled the question of the constitutionality of the steps admitting West Virginia to the Union.[76]

In many cases, the test oath was enforced in the election of 1865. The Wheeling *Register* wrote of the election in Tucker County:

> It would have made any American sick at heart to witness the disfranchisement of gray haired men and honorable men, men of wealth, men against whom nothing could be said; while mere boys, scarcely twenty-one, were permitted to vote without knowing what the word Republic means.[77]

Thus 1865 came to a close. The slight hope for a peaceable readjustment which was in evidence after Lee surrendered, gave way to suspicion, dissension, and mistrust. A return to local self government among the people of the state grew more difficult and uncertain.

PROSCRIPTION OF 1866

Before the legislature convened in January, 1866, there were evidences of a "let up" policy. Opposition to further war legislation had crystallized in the Republican party. There were two factions. One supported what it termed necessary proscriptive legislation; the other proposed that those proscriptive measures which had become law and those in the process of becoming laws, be repealed and that no more laws savoring of proscription be enacted.[78] The latter faction was the beginning of the liberal Republican movement in West Virginia, which included in its ranks some of the most ardent and loyal Union men. The leaders in the first liberal movement were Daniel Lamb of Ohio County and James H. Ferguson of Cabell County.[79]

Daniel Lamb had acted with the Republican party from

[75] Wheeling *Daily Intelligencer*, January 23, 1868.
[76] *Ibid.*, p. 407.
[77] Wheeling *Register*, November 10, 1865.
[78] Ambler, "Disfranchisement," p. 45.
[79] *Ibid.*, p. 45.

the beginning of the war; but a great deal of that time he was in conflict with his party on questions growing out of the war, which he believed were treated too vigorously and aggressively both for the good of the party and of the country as well. He opposed, in a most earnest manner, the enactment of all test oaths and subsequent legislation that proscribed men who had participated in the Civil War.[80]

But the legislature went much further than any of its predecessors in the matter of proscription. Following in the footsteps of the Radical Republicans at the nation's capitol, in West Virginia, the Radical Republicans started to talk about making "treason odious" as a wholesome example and a necessary means to maintaining the results of the war.[81]

In his message to the legislature, Governor Boreman expressed the sentiments of the "loyal Unionists." The chief executive declared that:

> It has seemed to me that too great anxiety is manifested on the part of those who actively engaged in the rebellion, to repossess themselves of place and power. They are too impatient under the safeguards that it has seemed necessary to adopt for the protection of the government . . . It has scarcely been nine months since they were in rebellion, yet they now gravely insist upon the right to immediate participation in making and administering the laws. It must be apparent that time should be taken on this subject. . . . Permanent civil organization has been restored throughout our State, except in five or six counties on the extreme eastern border. Here, participants in the rebellion either became, or induced others like themselves to become, candidates for office in October last.[82]

It will prove highly interesting to note how this message differs from the one which preceded it in January, 1865, and from the subsequent annual messages for four years. The governor does not call attention to violations of the civil law, except in a few instances where the election law had been ignored in counties where the population was practically all composed of former Confederates. The violations of the civil law in 1865 has been explained; the

[80] Atkison and Gibbens, *Prominent Men*, pp. 257-258.
[81] Ambler, *Mountain State*, p. 429.
[82] "Governor's Message," January, 1866.

war had not ended. The very fact that the governor did not call attention to violations of law and to insubordination of the people is decisive proof that they had not happened on any large scale. It also indicates that the former Confederates were willing to accept the situation, provided they were permitted to participate in local government where affairs could not very well function without their assistance.[83] Furthermore, the governor in his message recommended that the proposed constitutional amendment be accepted; that a registration law be enacted, and that election officers also be required to take a test oath.[84]

The legislature very early indicated the policy it would pursue in respect to the war measures. It resolved that "it is inexpedient at this time, to modify or repeal any of the existing laws, restrictions or disqualifications in this State in regard to persons who participated in the late rebellion."[85] The act proposing an amendment to the state constitution was concurred in a second time, and a bill was passed for submitting the proposed amendment to the people for ratification or rejection on the following May 24.

It was not the intention to make the organic disabilities perpetual contended the Radical Republicans. They were, however, to remain in effect until all danger to the public peace had passed; until those upon whom they were imposed proved that they accepted in good faith the results of the war, and until all danger of reannexation to Virginia had been removed.[86]

The "decitizenizing" clause of the proposed amendment was explained by saying that it had not been the aim to alienate any persons and that the phrase "no person shall be a citizen of the State" had been inserted into the proposed amendment because of a confusion of the terms citizen and voter, which were oftimes used synonymously.[87]

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[83] Ambler, "Disfranchisement," p. 46. The fact that a very large portion of the messages following 1866 was given over to a discussion of violations of the civil laws coupled with the fact that some very proscriptive legislation was added that year, is almost conclusive evidence that the future disorganized conditions were due, at least in part, to unwise and unnecessary restrictive legislation in voting privileges.

[84] "Governor's Message," January, 1866.

[85] West Virginia Senate, *Journal* (1866-1871), 1866, p. 27.

[86] Ambler, "Disfranchisement," p. 47.

[87] *Ibid.*, p. 47.

Opposition to the proposed amendment took shape immediately. Daniel Lamb of Ohio County and James H Ferguson of Cabell County, leaders of the liberal Republican faction, declared that since the war had ended there was no need for war measures. Old line Democrats argued that the proposed amendment was in conflict with the Federal constitution, which defined citizenship beyond the power of any state to alter. The "war Democrats" also pointed out that all who returned had taken the amnesty oath which, in Richmond, had reinstated them to the status of loyal citizens, and the oath should have the same effect in West Virginia, where good government was a matter of self interest. Some former Confederates even went to Ohio. There they were able to participate in government, and were not subject to arrest and proscription for offenses for which they had been fully pardoned by the President.[88]

Instead of abolishing existing proscriptive measures and stopping the progress of the proposed amendment against which the above mentioned arguments were raised, the legislature of 1866 went further than any of its predecessors in further limiting the privilege of suffrage. They vested in the hands of the governor the right of the people to vote and enable him to control the franchise. In other words, the governor became a virtual dictator. The following was the method used: A board of registration was to be appointed by the governor in each county, consisting of three persons "from the citizens most known for loyalty, firmness, and uprightness." In turn, the county board was to appoint a registrar in each township whose duty it was to place upon the roll of voters only those citizens who could take the voter's test oath. The township registrar was removable by the county board of registration, and the county board of registration was removable by the governor. Thus this law placed absolute control of the franchise in the hands of the governor, who could enfranchise or disfranchise through the county boards and township registrars.[89]

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[88] Wheeling *Daily Intelligencer* and Wheeling *Register*, January and February, 1866.
[89] *Session Acts* (1866), pp. 74-77.

The township registrars could refuse and did refuse registration to those who were willing to take the test oath but were suspected of disloyalty. In such cases, an appeal could be made to the county board of registration which almost always sustained the registrar. If a township registrar was found to have scruples as to the exclusion of his neighbors from the polls, he was promptly removed and one more compliant with party wishes would be appointed by the county board of registration.

During 1865 there had been much discussion in the newspapers and at public meetings as to the duty of election officers. It had been contended that the amendment to the general election law could not be regarded as valid and whoever enforced it, or acted under it, did so at his own risk. Supervisors and inspectors were threatened with damage suits if they refused the ballot to any voter who had the constitutional qualifications. It was contended that the law was void from the beginning and never could have any legal force whatever, and therefore could not protect the officer who enforced it.[90]

In order to bolster the courage of these election officers, the legislature provided that all suits against them for acts committed in obedience to the law could be defended at public expense. On February 17, 1866, an act was passed to prevent and punish the forcible or unlawful obstruction of public justice. It provided that:

> No officer in the lawful discharge of his duty under any act of the Legislature, or any order or proclamation of the Governor of this state shall be deemed personally responsible (either civilly or criminally) by reason of such act, order or proclamation being afterwards adjudged by any court of this state to be unconstitutional and void.[91]

This legislature required all the supervisors and inspectors of election to take the test oath before entering upon the discharge of their duties and provided that "in no case shall the votes taken at any place of voting be counted unless said oath appear on the poll books."[92]

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[90] Ambler, "Disfranchisement," p. 48.
[91] *Session Acts* (1866), p. 25.
[92] *Ibid.*, pp. 74-77.

Then the legislature proceeded to give another example of its alleged bitter and vindictive attitude. It proceeded to punish members of the bar who had questioned the legality of its acts. On February 14, 1866, a law was enacted which declared that no attorney be allowed to practice in any court, or before any justice or board of supervisors until he had taken an oath that he had not since June 20, 1863, borne arms against the United States.[93]

The immediate occasion for the attorney's test oath lay in a decision rendered by the State Supreme Court of Appeals on February 5, 1866. Charles J. Faulkner of Berkeley County, an attorney, had refused to take the test oath required for his readmission to the bar. On the ground that he was not an "officer of the court," as stated in the act of 1863, which prescribed a general test oath, he refused to comply and was upheld by the highest state court.[94] It will be observed that attorneys were compelled to declare that they had never borne arms against the United States since June 1, 1861. On the other hand, voters were required to swear that they had not been engaged in hostility since June 1, 1861, and officers were forced to swear that they had never borne arms against the United States. It does not clearly appear why three different dates were used.

An attempt to put the registration law into execution raised further arguments against its constitutionality. The bill enacting the registration law, which was to carry out the proposed amendment, had been passed February, 1866, and the proposed amendment was not to be submitted for ratification or rejection by the people before May 24, 1866. The Radical Republican machine, nevertheless, was put into action to execute the registration law. The governor nodded, and the county boards and township registrars hastened to obtain a registration before May 24, 1866. People disproved of these tactics to execute a law which had no constitutional basis.[95]

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[93] *Ibid.*, p. 17.
[94] West Virginia *Reports*, 1, pp. 269-303; Ambler, *Mountain State*, pp. 429-430.
[95] Ambler, "Disfranchisement," p. 49.

CONFLICT

In 1866, the country began its second year of peace. The last Confederate army had been disbanded. The Union was again one. But the fury of the Radical Republicans in West Virginia continued unabated. Thus began a period of conflict during which they often resorted to violence and were as often met by violence. After a year of comparative peace, a period of political strife followed. During these five years the wrath of both parties was intense. The party in power argued that its measures were necessary to the existence of the state and its institutions.[96]

The boards of registration were appointed; township registrars were chosen; and the work of disfranchisement was begun. Not satisfied with excluding those who were not willing to take the test oath, the registrars questioned the loyalty of nearly every citizen who was known to be opposed to the arbitrary measures enacted by the legislature. Many registrars even refused to register citizens who produced the affidavits required by the law.[97]

An appeal to the county board was allowed to any person who was rejected by the township registrar, but in many cases the appeal was useless. The boards of registration and the township registrars were of the same party, and in many of the counties it was difficult to secure citizens who would accept this obnoxious office.[98]

When the vote upon the proposed constitutional amendment[99] had been cast and counted, it was found that 22,224 votes had been given for ratification and 15,302 votes were cast for rejection.[100] As a result of this vote, between fifteen and twenty thousand persons who were not permitted to vote on the amendment, were disfranchised[101] It appears, moreover, that if the election law,

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[96] *Ibid.*, p. 49.
[97] *Session Acts* (1865), p. 48.
[98] Herbert, *Solid South*, p. 266.
[99] The amendment follows: "No person who since the first day of June, eighteen hundred and sixty-one, has given or shall give voluntary aid or assistance to the rebellion against the United States, shall be a citizen of this state or be allowed to vote in any election therein, unless he has volunteered into the military or naval service of the United States and has been or shall be honorably discharged therefrom."
[100] Atkison and Gibbens, *Prominent Men*, p. 430.
[101] Ambler, *Mountain State*. p. 430.

amended February 25, 1865, under which the amendment had been submitted, was constitutional, there was no necessity for the amendment; if the election law, as amended, was unconstitutional and void, then the amendment had not been legally ratified.[102]

The administration was of the opinion that the vote cast on the amendment was a sign of approval of its tactics. On the other hand, opponents saw in the large vote cast, the voice of a party which they felt sure would grow.[103] At the state election in October, 1866, the Republican ticket received 23,244 votes as against 16,885 for the opposition.[104]

In his message to the legislature in January, 1867, Governor Boreman declared that the condition of the state as a whole was "very gratifying." But in four or five counties bordering on Virginia and Kentucky a "spirit of insubordination" was still evident. The governor continued that:

> Means are used for the purpose of intimidating the courts, sheriffs, jurors . . . and especially the officers of registration and election, and of deterring them from the execution of the laws . . . at some voting places no elections at all were held last fall, for fear of violence; at others great numbers of illegal votes were received, which has given the boards of supervisors much trouble.

In the opinion of the governor, conditions were such that a small detachment of United States troops had to be stationed in pro-Southern counties to preserve law and order. In conclusion the governor said that:

> The civil authorities are doing all they can to execute the laws now in force, and I am not sure that these evils can be remedied by further legislation. However, it seems to me necessary to amend the law providing for the registration of voters so as to more clearly define the powers and duties of the county boards and of the township registrars, and to conform the law to the amendment to the constitution ratified by the people since the adjournment of the last legislature;

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[102] See pp. 303-304 of this article.
[103] Wheeling *Daily Intelligencer*. November 2-5, 1866; Wheeling *Register*, November 2-5, 1866.
[104] Atkison and Gibbens, *Prominent Men*, pp. 118-119.

> and also, as to make it the duty of the prosecuting attorneys to advise and act as counsel for the officers of registration. The election laws, also, should be amended so as to prevent, if possible, the reception of illegal votes, and to prescribe more definitely the powers and duties of the boards of supervisors as to the examination and certification of elections generally, and especially where through violence, fraud, or error, illegal votes are received, or other illegal acts done in conduction of the elections.[105]

The legislature of 1867 was more bitter and vindictive than any of its predecessors. On February 25, 1867, a new act was passed for the registration of voters and the former one was repealed. It seems that this may have been motivated through apprehension that the act of 1866 might be unconstitutional, because it had been enacted before the ratification of the amendment to the state constitution.[106]

The new law was more stringent in its obnoxious features than the old one had been. By this new law, if the registrar "doubted the loyalty" of any applicant for registration, he required him to take the test oath. Furthermore, the applicant was required to "make it appear that he is a qualified voter," but, if he failed to make it appear, his application was rejected.[107] He might then appeal to the board of registration and try to "make it appear" that he was entitled to register, but appeals were usually in vain.[108] The members of the board might also strike off the name of any registered voter whom they might not think entitled to vote. Moreover, if a person appeared before a board of registration and failed to produce "satisfactory evidence" to the board of registration that he was a qualified voter, the board could remove his name from the registered list.[109]

Soldiers who produced an honorable discharge from the Union forces, "shall if otherwise qualified to vote, be required to take the affidavit required by this act or be questioned as to his [their] loyalty to the government of the United States, but shall be registered as a qualified

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105 "Governor's Message," January, 1867; see Wheeling *Register*, January 22, 1867.
106 See p. 314 of this article.
107 *Session Act* (1867), pp. 79-86.
108 Ambler, "Disfranchisement." p. 50.
109 *Session Acts* (1867), p. 82.

voter [voters]."[110] In some cases, honorably discharged soldiers of the Union army were disfranchised because the boards of registration "doubted their loyalty."[111] The growing strength of the opposition as reflected in the ratification of the constitutional amendment in May, 1866, and in the fall election of the same year, may have been the reasons for a more stringent registration act.

To avoid any more suits like those which had arisen in 1865 over the voter's test oath, the legislature enacted a law which provided that the county boards of registration and the registrars should be defended at public expense. This act also provided that no civil or criminal suit should be maintained against any person for an act done in suppression of the late Rebellion.[112] State judges, adherents to Radical doctrines, declared that all acts to forbid former Confederates from voting came under the above act.[113]

The legislature, on February 19, 1867, passed an act which required jurors empanelled for the trial of civil and criminal cases, to be registered voters.[114] The following week, on February 27, this legislature, which was rapidly being blinded by its hatred toward the opposition, provided that no person, male or female, could be employed as a teacher in any of the public schools until he or she had taken the test oath.[115] On the same day the legislature reached the height of its rage. It enacted a law which declared that no Virginian should be permitted to collect a debt due to him from any citizen of West Virginia. This law declared that ". . . no person who has given voluntary aid to the late rebellion against the United States since the first day of June, eighteen hundred and sixty-one . . . shall be entitled to avail himself of this act . . ."[116] It appears then that this law was meant primarily for supporters of the Union; former Confederate soldiers and

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[110] *Ibid.*, p. 83.
[111] Herbert, *Solid South*, p. 268.
[112] Ambler, "Disfranchisement," p. 50.
[113] *Ibid.*, p. 50.
[114] *Session Acts* (1867), p. 44.
[115] *Ibid.*, p. 122.
[116] *Ibid.*, p. 145.

Confederate sympathizers were not protected by this act.

At this point it is proper to mention that the legislature on January 16, 1867, ratified the Fourteenth Amendment to the Federal Constitution which amendment declared in part that:

> No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any citizen of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

It was inevitable that a law which conferred civil rights upon the Negro would produce a reaction in the feelings and sympathies of thousands who had fought for the Union.

These dictatorial measures added more fuel to the fire which was assuming greater proportions. Especially during the summer and fall of 1868 was partisan feeling at high tension. In the border counties, notably Greenbrier and Monroe, where the governor declared that the "spirit of insubordination" was still evident, feeling reached a high pitch.

Intimidation of public officers was not infrequent in some localities; mobs gathered and threatened violence which cooler heads often found difficult to control.[117] The judge of the ninth judicial district, which included Greenbrier and Monroe counties, received anonymous letters threatening his life. When he attempted to hold court at Lewisburg, Greenbrier County, the citizens held a public meeting and resolved to mob him and the state's attorney. United States troops were sent to enable the court to proceed and the county registration board to hold meetings. The courts were so strongly opposed because they upheld the legislature and the registration boards.

A letter, signed by eighty-one citizens of Greenbrier County, to the legislature declared that, ". . . a small minority domineer and tyrannize over the majority, and trample every constitutional right under foot . . . The

[117] Ambler, "Disfranchisement," p. 51.

Executive turns a deaf ear to our petition and seems to be an instrument in the hands of our accusers to gratify their wicked purposes. The judge [Harrison] of our circuit—Well, you know him."[118]

The same attitude existed in other parts of the state. In a letter from Mason County to the Wheeling *Register* was this warning: ". . . What the results of the matter will be remains to be seen, but there are many men in Mason County now summoned before the Board of Registration, who are not disposed to submit quietly to the degradation of tolerating such an outrage."[119] In Barbour County, members of the board of registration resigned.[120] From the Eastern Panhandle came low rumbling sounds of trouble. A large number of persons residing in Jefferson County appeared before the county board of registration. Some of those summoned to appear hinted rather strongly that they would deal out "summary justice" to parties who attempted to impeach their loyalty. This board, thinking discretion the better part of valor, concluded not to erase any of their names from the register.[121]

Not only did the proscriptive measures deprive citizens of the suffrage privilege, but it was an example of "taxation without representation." According to a statement furnished by the West Virginia auditor, the tax assessments for Jefferson County, in 1866, were $37,003.24, which was only a thousand dollars less than Ohio County with the city of Wheeling. This assessment was $7,477.73 more than that of Berkeley County and $4,000 more than twelve counties combined. At the same time about 300 of Jefferson County's 1,800 former voters were permitted to vote.[122]

OPPOSITION TO REGISTRATION

In his message to the legislature in January, 1868, the governor revealed that resistance to the laws was most

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[118] Wheeling *Register*, February 12, 1867.
[119] *Ibid.*, May 4, 1867.
[120] *Ibid.*, May 13, 1867.
[121] *Ibid.*, May 13, 1867.
[122] Millard Bushong, A History of Jefferson County (MS), p. 295.

frequent in Randolph, Tucker, and Barbour counties. During 1867, there had been decided manifestations of opposition to the registration laws. In Randolph and Tucker counties, state officers and Union men who took an interest in and supported the registration of voters were threatened and menaced by hostile demonstrations; they were notified to leave the county or they would suffer damage to their person and property. As a result many officers were intimidated and resigned. It was with the greatest difficulty that men could be induced to enforce the law in these counties. In Barbour County, in three voting districts, the registration officers had been actually assaulted and driven away. United States troops were called and stationed at Philippi.[123]

Since the war there had been no taxes collected in Logan County, except a few hundred dollars in a small portion of the county. In other sections of the county, there were former Confederate soldiers who denied the authority of the state government. They refused to pay taxes for its support or for the support of the county government. They even threatened to resist with arms if the collection of taxes were attempted. Since United States troops had been stationed in Logan County, the taxes for 1865 had all been collected. The government believed that this could not have been done had there been no troops.[124] Union troops were still stationed in Monroe County and in the governor's opinion "They should remain until there is a more reliable assurance than exists at present that the laws can be enforced and peace preserved in their absence."[125]

The Wheeling *Register* argued that "the talk about rebellion was of a vague and indefinite character. In Wayne and Logan counties, for example, there cannot be cited a single case of resistance to the laws that faithful officers could not control. The very man who induced the governor to send troops to Barbour County, is now a member of the legislature, by the disfranchisement of several hundred

[123] "Governor's Message," January, 1868.
[124] *Ibid.*
[125] *Ibid.*

men whose names were stricken off through the intervention of the military."[126]

In other counties the rigid enforcement of the registration act gave rise to trouble. At Fairmont, Marion County, a large number of names was placed upon the registrar's lists in some illegal way. When the county board of registration met, persons illegally registered attended in a large body to hear their cases decided. The "visitors" assumed the air of a mob, cursed and otherwise insulted the board.[127] At Charles Town, Jefferson County, on the day set for registration, there was no registrar to be found.[128] In Mineral County, 124 voters were summoned by the registrars to appear and show cause why their names should not be stricken from the lists.[129] In many other counties, county boards were intimidated.

Annually, from 1863 to 1868, state ballot boxes were guarded by Federal bayonets. Those counties where eighty-five per cent of the citizens were former Confederates, were guarded better just before election than they had been during the Civil War.[130] This seeming organized resistance throughout the state led the Republicans to suspect that they were being opposed by the Ku Klux Klan. The Democrats claimed that the Radical Republicans magnified the Ku Klux scare so that they might secure Federal troops to enable them to carry elections.[131]

In reviewing the situation it seems that the disorders referred to arise in many instances from an unnecessarily rigid enforcement of the registration law. The voter appeared before the township registrar and was required to show "to the satisfaction" of the registrar that he was a qualified voter. The registrar might require him to take an oath to the following effect: that since June 1, 1861, he had not been engaged in rebellion against the United States; that he had not in any way aided or assisted in such rebellion; and that he took the oath freely without

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126 Wheeling *Register*, January 22, 1868.
127 Wheeling *Daily Intelligencer*, October 7, 1868.
128 Wheeling *Register*, September 12, 1868.
129 Wheeling *Register*, September 24, 1868.
130 Ambler, "Disfranchisement," p. 52.
131 *Ibid.*, p. 52.

mental reservation or purpose of evasion. If rejected, he might appeal to the county board of registration. If registered, the county board might summon him to appear and to show cause why his name should not be stricken from the register of voters. The board had power to examine parties on oath, to summon and examine witnesses, and to hear, try, and decide each case and adjourn from day to day until its work was completed. The burden of proof was on the voter to establish, by evidence satisfactory to the board, that he was a qualified voter. Many times the evidence offered by the voter was not enough to remove the suspicion of the board.

In one county where Federal troops were used, the form of procedure was as follows: The voter appeared and inquired, "What is the charge against me?" The president of the board answered, "We have no charge; you have to prove your loyalty." Thereupon the voter offered his own testimony and that of some of his neighbors, to the effect that he had remained at home during the war, that he had paid his taxes, and that they knew of no act of his committed in aid of the Rebellion. Thus the voter had discharged himself of the burden of proof.

Then it was up to the board to accuse him and sustain their charges. Instead of doing so, the board frequently asked the witness, "Might he not have done something, or said something against the Government when you did not see him or hear him?" The witness might answer, "O yes, I can not swear what he did or did not do or say when I was not present," If the party was under the suspicion of the board, having been at heart in sympathy with the South, the decision would generally be, "Take his name off."[132]

In Lewisburg, Greenbrier County, so many names were erased from the list that the registrar, Doctor J. F. Caldwell, gained the sobriquet of "Old Scratch" by which he was commonly known, and the voting population was reduced to seven. They were "Old Scratch," his son, two

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[132] Fast and Maxwell, *Government of West Virginia*, pp. 156-157.

Irishmen, and three Negroes. The registrar held nine petty offices.[133]

Among the chief objections to the proscriptive laws were: the best citizens were excluded from participation in local government. Unscrupulous citizens and "small time" politicians took the oath where they could, and changed to "loyal" citizens and "grafting" politicians.[134] Some good citizens refused, so long as proscription continued, to attend religious and social functions. Those denied suffrage can be grouped as follows: (1) Those who did not offer to register; (2) those whose names had been illegally removed from the registration books; (3) those who were legally entitled, but could not "make it appear" that they were voters; (4) persons who could not take the oath.[135]

It seemed that the legislature of 1867 had left little in the way of proscription to be enacted by its successor in 1868. but on March 2, 1868, it was enacted that no interest upon any debt contracted prior to April 1, 1865, should be recoverable in any action for the time the creditor was engaged in armed hostility against the United States or during the time he was aiding the Rebellion, or was a voluntary resident within the Rebel lines.[136] A law passed March 4, 1868, declared, that no suit or action, civil or criminal, should be maintained against any person for any act done in the suppression of the Rebellion. Furthermore, all suits brought or commenced should be dismissed at plaintiff's cost.[137] The same day the registration law was amended so as to provide for the punishment of boards of registration who had stricken off names improperly.[138]

The abuse of power in the hands of unscrupulous boards and registrars had become so flagrant as to alarm even a Republican legislature. The legislature, however,

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133 Herbert, *Solid South*, p. 280.
134 Ambler, "Disfranchisement," p. 54.
135 *Ibid.*, p. 54.
136 *Session Acts* (1868), p. 89.
137 *Ibid.*, p. 124.
138 *Ibid.*, p. 126.

hastily reasserted its Radical attitude when, by joint resolution, it declared that:

> Andrew Johnson, President of the United States, in the attempted removal of the Secretary of War, and the designation of the Adjutant General to perform the duties of the office and interim, the Senate being in session, has been guilty of a wilful and flagrant violation of law, and in the opinion of the Legislature of West Virginia ought to be impeached for high crimes and misdemeanors.[139]

At the same time the governor was authorized to tender Congress the assistance of West Virginia in sustaining the authority and enforcing the laws of the United States.

An extra session of the legislature was held commencing June 1, 1868, and continued during the remainder of the year. The main business transacted was the adoption of a code which gathered into a compact and convenient form the many enactments of the past five years. At this time the registration act was further amended so as to provide that no person whose name had been stricken from the list by the board of registration could afterwards be registered except by consent of the board. A number of special acts was passed permitting attorneys to practice without taking the test oath.[140] The legislature also enacted four laws which would allow persons to teach without taking the test oath, but in this case the legislature "cautiously" reserved the right to repeal or alter the act whenever in their opinion they might think proper to do so.[141]

At the state election held in the fall of 1868 William E. Stevenson, Republican, of Wood County, defeated Johnson N. Camden, Democrat, of the same county, in the gubernatorial election. There were 26,931 Republican votes as against 22,052 Democratic votes.[142]

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139 *Ibid.*, p. 169.
140 *Ibid.*, extra session, June, 1868, pp. 56, 70, 71, 72, 74.
141 *Ibid.*, pp. 5, 49, 73, 74.
142 Atkison and Gibbens, *Prominent Men*, pp. 118-119.

EVIDENCES OF A LET UP POLICY

It was evident from the action of the legislature in the extra session and from Governor Stevenson's inaugural message on January, 1869, that public sentiment was against further political proscription. Stevenson urged legislation to encourage the building of railroads, the improvement of rivers, and the inauguration of enterprises to bring forth the state's hidden treasures, and to give easy, cheap, and rapid transportation to market. He favored immigration and said that:

> Deeply rooted prejudices, which heretofore repelled immigration, are rapidly disappearing . . . there is nothing partisan in grain or coal, or lumber; nothing hostile to the public welfare in commerce, internal improvements, or the education of all classes. . . . We want small farmers, capital, and skilled labor of all kinds.

He regarded the continuance of the test oaths as inexpedient. The governor urged the adoption of the Fifteenth Amendment to the Federal Constitution to restore the privileges of those under disability, on the ground that it would put an end to much of the animosity and bitterness which resulted from the Civil War.[143]

In February, 1869, Congress passed the Fifteenth Amendment to the Federal Constitution which the state administration immediately grasped as a means to continue in power.[144] Moreover, the state administration not only wanted to endorse national policy but also to increase the annually decreasing vote of the party in power by the Negro vote, which though small in most counties was, however, important in the state as a whole.[145]

In reviewing the Negro situation, it will be seen that Lincoln's emancipation proclamation did not affect the status of slavery in West Virginia; it was in force in that territory which was still in armed opposition to the authority of the Federal government. The Thirteenth Amend-

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[143] "Governor's Message," January, 1869.
[144] Ambler, "Disfranchisement," p. 54.
[145] *Ibid.*, pp. 54-55.

ment to the Federal Constitution, which went into force December 18, 1865, abolished slavery in West Virginia. It did not improve appreciably the status of the Negro. They were free, but they could not vote or hold office, and they were not competent as witness in any court. Under these circumstances their persons and property were at the mercy of unscrupulous persons who might want to take advantage of their defenceless position.[146]

On July 28, 1868, the Fourteenth Amendment went into effect. By it civil rights were guaranteed to the Negro. The final "war amendment," the Fifteenth, was ratified by the state legislature on March 3, 1869. The Negroes, however, did not enter into Reconstruction in West Virginia until after the adoption of the Fifteenth Amendment, March 30, 1870. The fact that they were found in greatest numbers in those counties most affected by the proscriptive measures had no great bearing upon disfranchisement in the state.[147]

Negro suffrage was never popular with either party in West Virginia. As late as 1867, it was scarcely considered. The following editorial is from the Wheeling *Daily Intelligencer*:

> One of our exchanges says that proposition will be made during the present session [of the state legislature] to amend the State Constitution by striking out the word "white" from the first section of Article VI so as to confer suffrage upon the black men. We do not know whether the intimidation is well founded or not, but we anticipate a lively discussion.[148]

In 1868, Senator Willey stood upon the court house steps at Weston and declared that "Negro suffrage should never be forced upon the citizens of West Virginia . . ."[149] In 1870, for the first time, Negroes voted at the municipal elections at Clarksburg and Weston.[150] Of the fall election in 1870 one writer commented that:

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146 Fast and Maxwell, *Government of West Virginia*, pp. 151-152.
147 Ambler, "Disfranchisement," p. 55.
148 Wheeling *Daily Intelligencer*, January 17, 1867.
149 Wheeling *Register*, May 11, 1870.
150 *Ibid.*, May 11, 1870.

> The zeal with which they embraced the privilege, and the modesty with which they made use of it, did much to reassure those who honestly doubted the wisdom of the black men, and much to disarm the prejudice of those who opposed the recognition of his political manhood.[151]

No serious attempt was made to prevent the Negro from voting. At this time the Negro population of the state did not exceed 18,000.[152]

Henry G. Davis, Democratic member of the legislature which ratified the Fifteenth Amendment, declared that, "It [Fifteenth Amendment] will change our whole political status. We will by one stroke make the Negro our equal." He contended that the party in power, since it had declared that Negro suffrage was not an issue, should allow the people to vote on the proposed amendment to the Federal Constitution.[153]

After the Fifteenth Amendment had been adopted by the state, the chief issue became universal suffrage and universal amnesty. Editorials of partisan newspapers reflected the changing sentiment. The Wheeling *Daily Intelligencer* wrote, "Let's bury the hatchet in the ballot box." An opposition newspaper declared that "the ratification of the Fifteenth Amendment brings before us the practical question of whether 20,000 white men shall also have the right of suffrage."[154]

In the summer of 1869, there was a vigorous discussion of the suffrage question in all its phases accompanied by a bolder and more aggressive opposition to the enforcement of the registration laws.[155] Radical Republicans were in favor of an amendment to the state constitution. In this way the state constitution would follow the Federal Constitution. The word "white" was to be removed from the state constitution, and suffrage was to be given to former Confederates also, whenever their conduct and loyalty would justify such action. On the other hand, liberal Democrats desired to make the state constitution con-

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151 Fast and Maxwell, *Government of West Virginia*, p. 163.
152 Atkison and Gibbens, *Prominent Men*, p. 115.
153 Ambler, "Disfranchisement," p. 56.
154 *Ibid.*, p. 55.
155 Callahan, *West Virginia*, p. 406.

form to the trend of the times by an immediate act giving citizenship and the rights of citizenship to all. The fact that Missouri and Tennessee were abolishing their proscriptive laws was urged as a reason why West Virginia should do so. It was contended, furthermore, that political disabilities were driving people from the state and discouraging immigration.[156]

Mass meetings were held throughout the state. An important meeting was held at Parkersburg in July, 1869, where J. M. Jackson and Okey Johnson attacked the unfair execution of the registration laws. John A. Hutchinson spoke for the Republicans and declared himself willing to abolish the unfair proscriptive laws, provided the Democrats would endorse the action of the last legislature in giving suffrage to the Negroes. Jackson characterized this proposal as an attempt to place white suffrage against Negro suffrage. He declared furthermore that the legislature, at its last session, should have shown an inclination to give the whites the elective franchise if it intended to put the one measure against the other." Hutchinson's proposal was repeated in other parts of the state and this resulted in greater opposition to Negro suffrage.[157]

"The enfranchisement of the blacks is, we trust, already assured," wrote the Wheeling *Daily Intelligencer*. "And now the question of enfranchising the ex-rebels will grow in prominence until some way a solution is reached. There is no help for it. It is our Banquo's ghost; it will not down at our bidding."[158] Banquo's ghost presaged Republican defeat.

The administration learned no lesson from Reconstruction in the South where government was being restored by a rule which disabled less than one-tenth of the voting population. In West Virginia, a state which had been little affected by actual conflict, at least one-fourth of the voting population was disqualified.[159]

Horace Greeley, in reply to a letter from the Wheeling

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[156] Ambler, "Disfranchisement," p. 57.
[157] *Ibid.*, p. 57; see Wheeling *Daily Intelligencer*, August 5, 1869.
[158] Wheeling *Daily Intelligencer*, May 12, 1869.
[159] Ambler, "Disfranchisement," p. 58.

Daily Intelligencer stating that the West Virginia legislature would probably enfranchise Negroes to the exclusion of former Confederates, foretold the future.

> Every year one thousand of your rebels die, and one thousand or more of their sons become of age,—you can't disfranchise them. You have now five thousand majority. Six years from now convert this into a rebel majority of one thousand. The rebels will be enfranchised in spite of you. Go your way and see if the rebels don't have you under their feet. I speak from a large experience when I tell you that your house is built upon the sand. Now you can amnesty the rebels—soon the question will be, shall they amnesty you? Look at Kentucky and Maryland and read your certain fate in theirs.[160]

Greeley spoke, thinking of the approaching election, which was one of the most important in West Virginia history and one which called forth her ablest personalities.[161] The hotly contested election in 1869 was fought out on registration and test oath issues. A large number of the "liberal" Republicans considered that a continuance of the test oath was inexpedient and desired to adopt some policy that would end the bitter animosities of years.[162] In many counties Democrats, acting independently, and without following their party candidates, supported liberal Republican candidates.

The vigorous election was reflected in the membership of the legislature of 1870. Among the members elected in October, 1869, were Francis H. Pierpont, James M. Jackson, John J. Davis, Henry G. Davis, Daniel D. T. Farnsworth, Nathan Goff, Daniel Lamb, William H. H. Flick, and George C. Sturgiss. Among them were Radicals, state rights Democrats and liberal Democrats, and liberal Republicans. The resulting legislature was liberal in both houses and was committed to a "let up" policy regarding proscription.[163]

The tone of the governor's message was marked by a "let up" attitude. He urged the removal of political dis-

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[160] Wheeling *Daily Intelligencer*, May 12, 1869.
[161] Ambler, *Mountain State*, p. 433.
[162] Callahan, *West Virginia*, p. 406.
[163] Ambler, *Mountain State*, p. 434.

abilities. "It is not a just policy," declared the chief executive, "to continue in our midst a class deprived of the privileges of citizenship . . ."[164] Governor Stevenson, correctly analyzing public opinion, declared that there was a general conviction in the minds of the people that the attorney's and teacher's test oaths should be repealed. Of the suitor's test oath the governor said that:

> There are a number of citizens in whose judgment I have great confidence who believe the time has not yet come for the repeal of what is known as the suitor's test oath; still I think the wisdom of its further continuance on the statute books is questionable.[165]

In the final paragraph of his message, Governor Stevenson rose above the tumult of partisan politics and spoke the words of a statesman. He said that:

> Upon the question of amending the Constitution as to restore the privileges of citizenship to those now disfranchised, there is much difference of opinion. The only differences, however, as a general thing, are as to the mode and time of restoration, as there are few who desire disfranchisement to be perpetual. The question is not without its embarrassments; yet I feel confident that if it is approached in a proper spirit, and with a sincere desire to advance the true interests of the State rather than to organize the success of a party, many of the difficulties which surround it will disappear and a result will be reached that will be satisfactory to a large majority of the people.[166]

COLORED VOTE AT TIME OF RATIFICATION OF 15TH AMENDMENT

Barbour	42	Mineral	66
Berkeley	253	Monongalia	38
Boone	28	Monroe	128
Braxton	12	Morgan	21
Brooke	17	McDowell	0
Cabell	14	Nicholas	10
Calhoun	3	Ohio	82
Clay	0	Pendleton	21
Doddridge	7	Pleasants	3
Fayette	20	Pocahontas	50
Gilmer	3	Preston	9

164 "Governor's Message," January, 1870.
165 *Ibid.*
166 *Ibid.*

Grant	47	Putnam	35
Greenbrier	147	Raleigh	4
Hampshire	78	Randolph	8
Hancock	8	Ritchie	13
Hardy	108	Roane	3
Harrison	70	Taylor	66
Jackson	6	Tucker	6
Jefferson	581	Tyler	3
Kanawha	363	Upshur	31
Lewis	29	Wayne	5
Lincoln	0	Webster	0
Logan	15	Wetzel	1
Marion	22	Wirt	55
Marshall	19	Wood	136
Mason	85	Wyoming	10
Mercer	68		
		Total	2,856[167]

LEGISLATION OF 1870

Each party desired to obtain a greater popular following than the other, because of its bearing on current measures. The Republicans, who had dominated the political scene since West Virginia was admitted to the Union, wished to remain in power; the Democrats who now felt their growing strength wished to succeed to power. The Democrats were more liberal in their demands, advocating the immediate legislative repeal of all proscriptive laws regardless of constitutional requirements. On the other hand, the Republicans favored a constitutional amendment to remove political disabilities. The Republicans urged the latter plan, because it would give them time in which to mend their political fences.[168]

The struggle for popular following started with the organization of the two branches of the legislature. By combining with the liberal Democrats, the liberal Republicans were able to organize the house, but were not able to organize the senate. In warning the liberal Republicans not to unite with the Democrats the Wheeling *Daily Intelligencer* said, "All reform must come from the united Republican party and from that source alone."[169]

[167] Ambler, "Disfranchisement," pp. 54-55.
[168] *Ibid.*, p. 155.
[169] Wheeling *Daily Intelligencer*, January 17, 1870.

Defending Democratic action, the Parkersburg *Gazette* replied:

> The Wheeling [Daily] *Intelligencer* claims that the political shackles under which a large part of our people groan must be stricken off by the party which has forged them and in such a manner and at such a time as the Radicals dictate, or else they must clank for another session. If a Democrat dares to put his sacreligious hands to the good work, the 'let-uppers' are invited to wheel into line and go back on their solemn pledges made by the people in the recent campaign.[170]

Many bills were introduced to repeal and amend the registration laws, the most important of which was a substitute bill by Selman Wells of Tyler County. It made the office an elective position and provided for minority representation on the county board of registration. This bill passed the house, but was defeated in the senate. Of this substitute the Wheeling *Register* said that: "the Radicals acknowledge the iniquity of the Registration Act now in force by taking from the Governor the appointing power." It went on to say that "the bill is not what people desired or expected; nor what they demanded at the polls last fall; yet the concession it contains to the popular voice is important . . ."[171]

Having passed a number of acts for the relief of attorneys in 1869, the legislature, on February 7, 1870, finally repealed the act requiring attorneys to take the test oath. On the same day the teacher's test oath was abolished.[172] In repealing the test oaths, especially the teacher's test oath, the Radicals, desiring to stand in a favorable light with the people, resorted to long preambles which declared the justness of the obnoxious acts at the time of enactment. Speaking for the Republican "bitter enders," Wheat of Morgan County declared that a diversity of opinion existed among the county superintendents of schools as to what constituted "loyalty"; many deemed the acceptance of the oath the test of loyalty. Nevertheless, many persons known to have aided the Rebellion, having

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170 Ambler, *"Disfranchisement,"* pp. 155-156.
171 *Session Acts* (1870), p. 16.
172 Wheeling *Register*, February 9, 1870.

taken the oath, were engaged in teaching. The purpose of the preamble, according to Wheat, was to assign as a reason for repeal the fact that the teacher's test oath had become inoperative through the perjury of the teachers. He would not "stain his hands with treason and the let up doctrine." He did not approve the message of the governor recommending a removal of disabilities.[173] Thus, if the Democrats voted for the repeal of the test oath with the preambles, they would also have declared that the test oaths were at one time just and necessary. They refused to accept the preambles, and the teacher's and attorney's test oaths were repealed by acts without added preludes.[174] The Democrats also opposed the amendments to the registration laws because of their uncompromising attitude against registration.[175] Of the Democrats the Wheeling *Daily Intelligencer* said that "if they cannot have no law, they want the law as odious as possible. With the law in its present form, they can go before the people and make capital of it."[176]

Finally a solution to the perplexing problems which plagued the legislature was offered in the house by W. H. H. Flick of Pendleton County. He advanced a resolution, which became known as the Flick Amendment. It restored the provisions regarding the qualifications of voters in the original constitution of 1863, with the exception that the word "white" was to be omitted. Flick's proposed amendment proved to be a political "boomerang." By advocating it the Republicans had hoped to secure a greater popular following; instead, the result was a split in the Republican party which caused defeat in the fall election of 1870. The liberal Republicans, led by Flick, drifted from the "bitter enders" led by Goff of Harrison County, and Sturgiss of Monongalia County. The Democrats were also split into two factions. John J. Davis of Harrison County led those who favored no compromise by which Negro suffrage would be recognized; the second

[173] *Ibid.*, January 25, 1870.
[174] House, *Journal* (1870), p. 109.
[175] Ambler, "Disfranchisement," p. 156.
[176] Wheeling *Daily Intelligencer*, February 7, 1870.

group was composed of those who advocated a more liberal policy.[177]

Sturgiss, a leader of the "bitter enders" in the Republican party, introduced a substitute for the Flick Amendment, which proposed to omit the word "white" from the state constitution as amended in 1866, but to retain the disfranchising clauses as they were. These disfranchising clauses stated that:

> No person who since June 1, 1861, has given or shall give, voluntary aid or assistance to the rebellion against the United States shall be a citizen of this state, or be allowed to vote at any election unless he had volunteered into the army of the United States and received an honorable discharge.

Included in this proposition was also a provision which empowered the legislature by a two-thirds vote of each house to remove the political disabilities.[178] This measure was ridiculed by many as a means to "peddle suffrage," by a partisan legislature.[179] The Sturgiss substitute was defeated, 39 to 14.

John J. Davis, a conservative Democrat, introduced a substitute bill which restricted suffrage to white males.[180] Davis argued that the Fifteenth Amendment had not been and would not be ratified by the required number of states. Moreover, the Secretary of State could not constitutionally declare it a part of the Federal Constitution, because the consent of the Southern states had been secured by coercion. The Davis faction desired to adopt the plan followed by Kentucky, Oregon, and Delaware, that is, in practice to observe the Fifteenth Amendment, if they were compelled to, but never to make the state constitution conform by the omission of the word "white."[181]

Democrats argued that the constitutional amendment of 1868 had not been legally adopted and was therefore not a part of the state constitution. Consequently, it was not necessary to repeal the disfranchising part of the

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177 Ambler, "Disfranchisement," p. 157.
178 House, *Journal* (1870), p. 189.
179 Ambler, "Disfranchisement," p. 158.
180 House, *Journal* (1870), p. 189.
181 Ambler, "Disfranchisement," p. 158; see Wheeling *Register*, February 24, 1870.

amendment. They further contended that having been adopted under the coercion of test oaths illegally imposed, the election at which it was claimed to have been adopted was illegal and that the constitutional amendment of 1866 had never really been a part of the state constitution.[182]

While they would not concede the legality of the amendment, a few in the Democratic party took a more practical view of the situation. They pointed out that the restrictions must be accepted as law, that the proposed Flick Amendment was the beginning of a legal removal of political disabilities. Furthermore, it was no time to quibble over the word "white" or over legal abstractions, such as the constitutionality of an amendment which had been in operation for several years.[183]

Of the opposition party the Wheeling *Register* said that:

> Upon this proposition there is a division in the Republican ranks. Those Republicans who support it, with the probable exception of Mister Flick and a few others . . . regard the measure as . . . the only means to save the Republican party. They propose to go back on their policy of proscription in order to make a fair showing in the next campaign. It is now admitted by prominent members of that party that they dare not go before the people without appearing, at least, to make some concession to the popular demand for reform . . . in proscription.[184]

In the senate, Henry G. Davis introduced a bill to amend the registration law. The bill followed the lines of the Wells substitute which had been passed by the house. It caused heated debate but was finally defeated by the Republican senators who preferred the Flick Amendment to a registration law. As John J. Davis had done in the house, Henry G. Davis proposed in the senate a substitute which inserted the word "white." The Davis substitute was defeated, 19 to 3. The proposed Flick Amendment passed by the overwhelming vote of 18 to 4. But one Democrat, Andrew Wilson, voted against it.[185] The pro-

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[182] *Ibid.*, p. 158.
[183] *Ibid.*, p. 158.
[184] Wheeling *Register*, February 25, 1870.
[185] Senate, *Journal* (1870), p. 195.

posed amendment would have to be passed by the succeeding legislature and then submitted to the people.

In reviewing the action of this legislature the Sturgiss faction stood out as the most formidable to the Flick Amendment. As the lack of Republican unity made it impossible to consider the proposed amendment a Republican measure, so the opposition of the Davis faction in the house made it equally impossible to call it a Democratic measure. Had the "bitter enders" of the Republican party been in control every word of the proscriptive measures would have remained on the statute books. On the other hand, had the conservative Democratic faction controlled legislation every word of the proscriptive measures would have been repealed, regardless of constitutional restrictions and the word "white" would have remained in the state constitution.

As the session closed liberal Republicans assumed all responsibility for the Flick Amendment; but the "bitter ender" Republicans called it a Democratic and a "let up" policy. The hoped for party harmony in Republican ranks was not realized; this was to spell Republican defeat in the forth coming election. The Wheeling *Daily Intelligencer,* which had become very liberal, declared that:

> The keynote was sounded by the Republican majority in the legislature in repealing the test oath and the suffrage amendment to the constitution. We know that it is a very discordant note in our neighbor's ear [Register] but that is the fault of the ear and not of the note.[186]

The Wheeling *Register* discovered that:

> One reason why the "bitter enders" refused to modify the registration law as to enroll the legal voters of the State has leaked out. The young men in the border counties who will become of age this year were too young while the war was going on to take part in the rebellion. When the war closed they were but 16 years of age. They represent a formidable class, as their votes could not be depended on for the Radical ticket, it was deemed essential for safety to retain the power of disfranchising them. . . . The disfranchisement of the young voters was a leading object of the "bitter enders" in refusing

[186] Wheeling *Daily Intelligencer,* March 30, 1870.

> to provide against any of the iniquities of the registration system.[187]

Liberal Republican sentiment crystallized in Mason, Wood, and Ohio counties. The feeling became so intense that a call was issued for a liberal Republican convention which was to have met at Point Pleasant, Mason County. This convention did not propose to nominate candidates for state offices. It intended to draft a strong resolution in support of the Flick Amendment and recommended that its resolution be made a plank of the regular party platform.[188] This convention never materialized.

After March 30, 1870, when the Fifteenth Amendment was officially declared a part of the Federal Constitution, Negro suffrage became an issue in West Virginia. During the municipal elections in the spring of 1870, the Democrats showed a disposition to keep the Negro from voting. They argued that a statute law was necessary before the Fifteenth Amendment could go into execution. On this point the Wheeling *Register* took an interesting stand. The *Register* boldly declared that:

> As long as the Constitution of any state remains unchanged it is compelled to be respected and enforced in all its provisions by its officers until they have official notification from proper authority they are to disregard it. In other words, the Fifteenth Amendment having been adopted as a part of the Constitution of the United States is of no effect whatever in any state until the Legislature makes its constitution and laws conform to it.[189]

This Congress did. On May 30, 1870, it enacted the Enforcement Act which pronounced fine and imprisonment against all attempts to hinder, delay, or obstruct the exercise of the franchise by the Negro or with the counting of votes cast by them.[190] There were no accounts of any serious opposition to the exercise of the suffrage by the Negro.

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[187] Wheeling *Register*, March 7, 1870.
[188] Wheeling *Register*, May 2, 1870.
[189] Wheeling *Register*, May 14, 1870.
[190] Edward McPherson, *The Political History of the United States of America during the Period of Reconstruction*, (Washington, 1880), third edition, p. 546.

PLATFORMS OF 1870

On June 8, 1870, the Democratic state convention met at Charleston. The same factions which had divided the Democratic party in the legislature were evident there, and the word "white" was again the chief issue between those who held opposing views. Johnson N. Camden of Wood County led the liberal wing, and John J. Davis of Harrison County led the conservative faction, those who favored the "white man's" party.[191]

In the convention peace reigned until the committee on resolutions presented both a majority and minority report. Frank Hereford of Monroe (a county affected much by proscription and having, with two or three exceptions, more Negroes than any other county in the state) upheld the majority report. He said that the question before the convention was one of the most important that had ever been decided by any Democratic convention. The adoption of the Flick Amendment, Hereford continued, was the only way in which 25,000[192] disfranchised white men in this State would be restored to the right of suffrage. It made no difference about the Negro in view of the fact that the Fifteenth Amendment settled that issue. "The main thing for us," concluded Hereford, "is the ballot for the white man."[193]

Speaking for the minority, Henry S. Walker of Kanawha County, editor of the Charleston *Courier,* replied in a brilliant speech in which he said: "The Flick Amendment would sacrifice true Democratic principles for the sake of party gain, and for his part he would enter into no political barter." Concluding his address Walker, reflecting the prevailing Democratic sentiment, declared that, "it was the duty of the Democrats to maintain the honor and dignity of the Caucasian race, and, as this is a white man's country so it ought to be a white man's government."[194] Colonel D. D. Johnson of Tyler County re-

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[191] Ambler, "Disfranchisement, p. 160. The slogan of the "white man's party" was raised for the first time in West Virginia in the Democratic Convention in 1870.
[192] According to conservative estimates between 15,000 and 20,000 were disfranchised.
[193] Wheeling *Register,* June 11, 1870.
[194] *Ibid.,* June 11, 1870.

plied but to no avail. Walker's speech struck the sentiment of the convention. The Davis faction, the conservative wing, gained a signal victory; the minority report of the committee was adopted, 324 to 242.[195]

The resolutions finally adopted were in part:

> That the Federal Government has no right to deny States of this Union the privilege of participation in its affairs; that all distinction against the representation of States in Congress and all Federal interference in the purely domestic concerns of a state is unwarranted by the Federal Constitution and ought to cease; that the Republican party by voting to ratify the Fifteenth Amendment to the Constitution, has shamefully violated its pledge that the question of suffrage would be retained within the control of the people of the States. That in calling to power an alien and inferior race, it has declared the white race incapable of self government. In opposition to this monstrous doctrine, we invite the intelligent white men to unite with us in asserting the principle that the white race is the ruling race of the Republic. We favor the prompt abolition of every test oath upon the statute books of the State; we favor wiping out the injustice and disgrace incident to the disfranchisement of twenty-five thousand of our own race while Negroes exercise the right of suffrage without hindrance or condition. We demand a free ballot for white men and the immediate enactment of such legislation as will secure it.[196]

These resolutions were a part of the platform of the "white man's party" in West Virginia. Upon this platform the Democrats won the fall election of 1870.

They were consistent with this platform by nominating conservative men. John J. Jacob who had not been identified with either Democratic faction, was nominated for governor. Of Jacob the Wheeling *Daily Intelligencer* commented that:

> He is a lawyer of good ability; a man of good common sense, rather reserved and passive, though not cold in manner; a sensible but not forcible speaker. . . . His chief recommendations to the party nominating him is . . . that nothing can be said against him.[197]

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[195] *Ibid.*, June 11, 1870.
[196] *Ibid.*, June 11, 1870.
[197] Wheeling *Daily Intelligencer*, June 10, 1870.

In view of the fact that nothing could be said against him, the Democrats chose the right man. Furthermore, by selecting a conservative candidate, who, at the same time was politically "available," the Democrats found the proper candidate to head a conservative platform.

On June 22, 1870, the Republicans held their convention at Parkersburg. General Lewis Ruffner of Kanawha County, a former Democrat, was chosen temporary chairman. To the convention the Republicans invited Negroes and, grinned the Wheeling *Register*, "it has become a very grave question with the hotel keepers of Parkersburg how they shall entertain the colored 'gentlemen' with the consideration which their new position and rights will entitle them."[198]

The Wheeling *Daily Intelligencer* observed that:

> A feature of the convention not to be overlooked was the presence of from a dozen to twenty colored delegates who were scattered through the several delegations and who in all respects conducted themselves like intelligent gentlemen. It is equally worthy of mention that in no quarter was there the slightest manifestation of dissatisfaction at their presence. The white delegates also conducted themselves like gentlemen in being oblivious of the fact that the delegates were not all of equally fair complexion.[199]

While the various committees were formulating party policies, Colonel Thomas B. Swan, a former Confederate, who had acted with the Republicans since the close of the war, was called on and responded with a short speech. He scored the Democrats, and declared that the old Whig element of disfranchised Rebels could not affiliate with them. He appealed to the Republicans to be magnanimous to Rebels and said if this were the policy adopted they would cooperate with the Republican party.[200]

As in the Democratic convention, everything was harmonious until the committee on resolutions made both a majority and minority report. The "bitter enders" of the committee demanded that the party should not be com-

[198] Wheeling *Register*, May 20, 1870.
[199] Wheeling *Daily Intelligencer*, June 23, 1870.
[200] *Ibid.*, June 23, 1870.

mitted to the Flick Amendment. This led to two reports. The majority of the committee approved the action of the last legislature in submitting the amendment but absolved the party from supporting it. The minority recommended that Rebels be enfranchised as soon as they gave fidelity to the state administration as determined by the Radical Republican party.[201]

The majority report, which was finally adopted contained, among other things, the following resolution:

> That the Fifteenth Amendment to the Constitution of the United States, which forbids the exclusion of any class from an equal voice in the government by reason of accident of race or color, or the misfortune of previous oppression, accords with the honored principles of the Declaration of Independence and is alike essential to justice between men, to the consistency of the government, and to the harmonious relation of the races.

The fifth resolution endorsed the action of the Republicans in the last session of the legislature in submitting the question of amending the constitution to a vote of the people. At the same time they recognized the right of each individual to think, speak, and vote according to his judgment and the dictates of his conscience. Furthermore, that so long as the restrictions on suffrage remained in the constitution, they were to be enforced equally with any other part of that instrument, firmly, fairly, and without prejudice to the rights of any citizen.[202]

Cyrus Newlin of Monroe County, submitted the minority report which substituted for the fifth resolution the following:

> That we recognize as a solemn pledge the declaration of the Republican party made in national convention at Chicago, and we favor the removal of the disabilities and restrictions upon the late rebels in the same measure as their spirit of loyalty will direct and as may be consistent with the safety of the loyal people, and recommend such legislation as may be necessary to fully carry it out.[203]

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[201] *Ibid.*, June 23, 1870.
[202] Wheeling *Register*, June 24, 1870.
[203] Wheeling *Daily Intelligencer*, June 23, 1870. The plank of the platform of 1868 to which Newlin referred was as follows: "the guaranty of Congress of equal suffrage to all loyal men at the South was demanded by every consideration of public safety, of gratitude and of justice and must be maintained; while the question of suffrage in all the loyal states properly belongs to the people of those states."

Newlin opposed the removal of disabilities. He argued that such action meant political death, since he represented that part of the state where former Confederates outnumbered the Republicans. In defending the report, he claimed that if the Sturgiss substitute had received fair and free discussion in the last legislature, it would have been adopted. He denounced the sweeping, indiscriminate restoration of those men whom he claimed had no right to power.[204] In this connection, he spoke of Colonel Swan as one who was entitled to amnesty. Newlin also contended that the party should follow the example of the Revolutionary fathers who perpetually disfranchised some of the Tories.[205] The minority report was defeated, 412 to 260.

In reviewing the platforms of the two parties one observes that the Democratic platform is straight forward, vigorous and unequivocal. The conservative faction gave the platform total support, while the platform did not prove objectionable to the liberals. On the other hand, the Republican platform was vague, indefinite, and compromising. The fifth resolution is a mild endorsement of the Flick Amendment without naming it. The platform did not have the individual support of any element in the Republican party. Therefore, the voter was left free, independent of any party policy. Of the Republican platform, the Wheeling *Register* said, "The Republican platform is an excellent example of circumlocution."[206]

A CHANGE OF ISSUES

The conventions having finished their work the political focus changed from the proposed Flick Amendment to other vital issues, which were rapidly assuming prominent places on the political scene.

The Enforcement Act of March 30, 1870, prohibited attempts to prevent the exercise of the franchise by Negroes and prohibited interference with the counting of their votes. Shortly after the meeting of the Democratic

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204 Ambler, "Disfranchisement," p. 164.
205 Wheeling *Daily Intelligencer*, June 23, 1870.
206 Wheeling *Register*, June 23, 1870.

state convention the Democrats interpreted the Enforcement Act in the following manner:

> These provisions of the bill to enforce the Fifteenth Amendment clearly admits to the ballot every citizen qualified under the Fourteenth and Fifteenth Amendments of the Constitution without regard to race, color, or previous condition, who conforms to the requirements of the law. . . . It will be observed that these rights of registration and voting are reserved to citizens regardless of any state constitution, or laws to the contrary. . . . We understand that those who cannot take the oath and comply with the conditions furnished by the registration acts cannot under the Congressional Act demand registration.[207]

Under this interpretation, it was held that anyone who would offer to take the test oath could not be refused registration. On the other hand, the Republicans contended that a willingness to take the oath did not suffice and that the applicant might be required to "make it appear" that he had not given voluntary aid to the rebellion since June 1, 1861.[208]

To encourage those who were disfranchised to carry out its interpretation of the Enforcement Act, the Democratic executive committee issued a paper entitled "Documents to the People" which said that:

> Any man who will go before a township registrar on a day designated by that officer as a day upon which he will register voters, and offers to take and subscribe to the test oath, is entitled to be registered. The Fifteenth Amendment practically strikes 'white' from the Constitution, and the Fourteenth Amendment makes that clause of the State Constitution which says that certain persons shall not be citizens, a dead letter.[209]

For interpretation of the Enforcement Act, the Republicans turned to the state's attorney general, Caldwell, who rendered the following opinion:

> Each applicant for registration must possess all the qualifications required by our [Federal] Constitution and laws except that he shall not be refused registration on account of

[207] Wheeling *Register*, June 15, 1870.
[208] Ambler, "Disfranchisement," p. 166.
[209] Wheeling *Register*, July 22, 1870.

> race, color, or previous condition of servitude. It matters not what oath an applicant offers to take, he shall not be registered unless the registrar and the registration board are satisfied that he is a qualified voter.[210]

Not satisfied with the "Documents to the People" and the attorney general's opinion, the political parties carried their battles to the United States courts. At this time the United States district judge for West Virginia, J. J. Jackson, was a Democrat. The United States circuit judge, Hugh Lennox Bond, to whose court an appeal could be made from Jackson's decision, was a Republican. It became known that Bond and Jackson held widely different opinions upon the interpretation of the Enforcement Act. With this in mind, each political party desired to bring its conflicts, which would call for judicial interpretation, into court. Thus an effort was made to reduce these courts to political machines, by one party desiring to evade the election laws of the state and by a second party wishing to maintain local power by national aid.[211]

When it came time to register in August, 1870, persons who claimed that they had been illegally proscribed came forward to register and offered to take the test oath, but many were unable to "make it appear" that they were entitled to vote and an appeal was made to Judge J. J. Jackson. The judge, acting under a provision of the Enforcement Act, appointed a number of Federal election commissioners who investigated, arrested, and imprisoned those who were charged with a partial execution of the law.[212]

At the August session of the United States district court, there were many witnesses present to indict registrars who were then on bail. The Wheeling *Register* reported that:

> The singular spectacle was presented of a Grand Jury who were members of one political party. Of the entire number summoned, only one, Colonel Samuels of Boone County, was known to have any conservative opinions; the rest were all

[210] Wheeling *Daily Intelligencer*, July 26, 1870.
[211] Ambler, "Disfranchisement," p. 165.
[212] *Ibid.*, p. 167.

radical. When the Grand Jury was empanelled, Colonel Samuels was not called by the [United States] marshal and the entire eighteen who were sworn in were members of the Radical party. Jackson ordered the entire jury released and others summoned. Again the marshal showed the same fondness for jurors from his own political party and excused his acts by saying that he naturally selected men from among those whom he knew best, and they in this case happened to be Republicans.[213]

As many expected, no indictments were returned by the "packed jury."[214] Jackson's charge to the jury, however, on this occasion was accepted by the Democrats as a valuable campaign document.[215] In part it follows:

In the view that I take of the [Enforcement] Act, I think that no discrimination has been made in favor of any class. .. . It is the duty of the court, in giving construction to a public statute, to ascertain the meaning and intention of its framers from the words employed and the matter to which it relates. Testing the Act by these principles, it is evident that the framers had primarily in mind; first, to promote the public good by preserving the rights of citizens; second, to prevent evil-disposed persons from unlawfully interfering or intimidating the officers in charge of their duty. That the Act was passed for more than one purpose is evident from the title itself which states "To Enforce the Rights of Citizens to Vote" as well as "Other Purposes." Here the pertinent inquiry for us to ascertain is, who are entitled under the act to exercise the right of suffrage. . . . In answer, I assume that all persons born or naturalized in the United States and subject to its jurisdiction are citizens of the United States and of the states wherein they reside, whether white or colored. The primary object of the first section seems to destroy all distinction between white and colored citizens so far as the ballot is concerned, by placing them on the same equality in the right of suffrage. It follows, therefore, that all citizens, who are entitled to vote under the Constitution and laws of the States, are protected in the exercise of that right.[216]

The failure to secure indictments during the August term of court at Clarksburg did not discourage the Democrats. In fact, they became so annoying and detrimental to the Republicans that they planned to have a test case.

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[213] Wheeling *Register*, August 29, 1870.
[214] Wheeling *Register*, August 31, 1870.
[215] Ambler, "Disfranchisement," p. 168.
[216] Wheeling *Register*, September 26, 1870.

The opportunity came when John H. McElwee, a registrar in Mineral County, was arrested by a United States marshal. His offense consisted of having refused to register W. S. Alkire, who was a legally qualified voter. Federal Commissioner Smith adjudged the registrar guilty of a violation of a law of Congress and required him to appear before the next session of the United States district court at Clarksburg. McElwee was refused bail and was committed to jail. Thereupon an appeal was made to Judge Bond for a writ of habeas corpus, which was granted.[217]

On August 29, 1870, Bond released the prisoner and at the same time rendered an opinion which became a Republican campaign document. It maintained:

> That it was not the intention of Congress to abolish the laws of the several states, which proscribed the qualifications for voters, or even to alter them, except so far as they were founded upon the distinction of race, color, or previous condition of servitude, is sufficiently evident from the words of the first section of the statute, which declares it to relate to 'all citizens of the United States who are or shall otherwise be qualified to vote.' It can not be doubted that the meaning of this language is that these citizens shall be qualified to vote by the laws of the State or Territory in which they offer to poll. That these persons are thus 'otherwise qualified to vote' without distinction of race, color, or previous condition of servitude is the purpose and intent of the statute.
>
> It was the duty of the petitioner to inquire into the qualifications of the applicant for registration under the laws of West Virginia, and if he found him otherwise qualified than as to race, color, or previous condition of servitude, he should have registered him.[218]

The Martinsburg *Era* spoke of Judge Bond's decision as the judgment of an illegal court and that all possible resistance to it was the duty of the people of the state. "How that resistance shall be asserted," the *Era* said, "time will show."[219]

Throughout the state the Democrats became more aggressive. Registrars were intimidated into the "proper"

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[217] Wheeling *Register*, August 17, 1870.
[218] Wheeling *Daily Intelligencer*, September 3, 1870.
[219] *Ibid.*, September 3, 1870.

discharge of their duty. In nearly every county where they refused to obey the law they were, in the words of the Wheeling *Register,* being taught their duty in a "short, sharp, and decisive manner."[220] In Monroe and other counties, United States troops were present on behalf of the state, and Federal election commissioners were present on behalf of the proscribed.[221] In Greenbrier County Doctor J. F. Caldwell was arrested for refusing to register two Negroes who were legal voters, but who declared their intention to support the Democratic ticket. Two registrars were arrested and taken before the United States commissioners. "The men who are legally qualified to vote under the Fourteenth and Fifteenth Amendments to the Federal Constitution are going to cast their ballots this fall," thundered the Wheeling *Register,* "and the registrars would better stand out of the way."[222]

By means of an "Official Circular Relating to Registration," Governor Stevenson notified the registrars that:

> Your duty is . . . plain. Execute the law relating to the registration of voters as formerly instructed, fearlessly and impartially; not permitting yourselves to be deterred by intimidation, threats of violence or prosecution; exclude no citizen from registration who is entitled to vote. In thus honestly executing the law, you will be sustained with whatever power is at my command.[223]

In reply to the governor's order, the Wheeling *Register* warned that:

> The Board of Registration that strikes from the list any legally qualified voter will be made to suffer . . . notwithstanding Governor Stevenson's instructions . . . and the officers of election who refuse to receive and count the vote of the legally qualified voter whose right to vote the Board of Registration has denied, will also be answerable in damages. . . . [224]

The reason for the aggressiveness of the Democrats can be seen. By a special act of Congress, the United

[220] Wheeling *Register,* August 13, 1870.
[221] Ambler, "Disfranchisement," p. 170.
[222] Wheeling *Register,* August 12, 1870.
[223] Wheeling *Daily Intelligencer,* September 23, 1870.
[224] Wheeling *Register,* September 24, 1870.

States district court for West Virginia had been invested with circuit court powers in all except admiralty cases. Appeals from this court would go direct to the Supreme Court of the United States, and Judge Bond would not be able to review a decision rendered by Judge Jackson. Moreover, in criminal cases and offenses against the United States, such as those arising under the act to enforce the right of citizens of the United States to vote, there would be no appeal whatever from the judgment of the district court. Judge Jackson's decision would be final.[225]

To give some idea of the number disfranchised and of the counties in which registrations were increased in 1870, a table is given below. It shows the state auditor's report of the whole number of capitations, males of twenty-one years of age or more in 1868, the number of persons not voting in the presidential election of that year, and the official count for governor in 1870. From these figures it appears that, in the gubernatorial election of 1870, a large Democratic vote came from those counties, where many had previously been denied registration. There are exceptions, however, as in Greenbrier, Logan, Hampshire, Monroe and Taylor counties, where registration was strictly guarded by the state with the aid of United States troops. In Barbour, Calhoun, Jefferson, Upshur, Wayne, Mercer, and many other counties, where a large number had been proscribed and where the state exercised but little power to have the registration laws strictly complied with, there was a large increase in the vote. It was impossible to place a rigorous guard over the entire state, especially when the tendency to vote, registration or no registration, was so strong.

The following is the Auditor's Report:

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[225] *Ibid.*, September 12, 1870.

COUNTIES	Capitations, 1868	Vote for President, 1868	Not Voting, 1868	Vote For Stevenson Rep., 1870	Vote For Jacob Dem., 1870	Total 1870
Barbour	1,870	967	903	520	648	1,178
Berkeley	2,706	1,503	1,203	940	901	1,841
Boone	794	228	566	143	273	416
Braxton	1,192	321	871	286	257	543
Brooke	1,101	994	107	434	517	955
Cabell	1,286	399	887	250	406	656
Calhoun	546	242	304	120	296	416
Clay	364	123	241	108	114	222
Doddridge	1,212	1,033	179	582	568	1,150
Fayette	1,191	496	695	286	333	619
Gilmer	778	373	405	171	378	549
Grant	786	402	384	336	135	471
Greenbrier	2,036	352	1,684	320	161	481
Hampshire	1,387	540	847	89	484	573
Hancock	949	867	82	430	366	796
Hardy	994	294	700	94	341	435
Harrison	3,086	2,508	578	1,402	1,424	2,826
Jackson	1,799	1,148	651	708	655	1,363
Jefferson	1,887	323	1,564	498	548	1,048
Kanawha	3,664	2,228	1,436	1,542	1,508	3,050
Lewis	1,703	1,284	419	586	733	1,319
Lincoln	1.030	200	830	232	304	539
Logan	888	125	763	70	220	290
McDowell	299	119	180	49	124	173
Marion	2,678	2,055	623	1,157	1,118	2,275
Marshall	2,983	2,637	346	1,166	1,152	2,318
Mason	3,162	2,293	869	1,041	1,322	2,363
Mercer	1,272	211	1,061	269	507	776
Mineral	1,292	642	650	397	427	824
Monongalia	2,597	2,463	134	1,262	891	2,153
Monroe	1,837	326	1,511	303	454	757
Morgan	885	420	465	313	175	483
Nicholas	917	154	763	214	257	471
Ohio	5,651	4,826	825	2,101	2,568	4,689
Pendleton	1,195	414	781	236	212	448
Pleasants	713	591	122	276	304	580
Pocahontas	787	235	552	118	51	169
Preston	2,828	2,486	342	1,270	621	1,891
Putnam	1,370	726	644	443	431	874
Raleigh	687	307	380	235	248	483
Randolph	1,024	396	628	192	320	512
Ritchie	1,672	1,155	517	476	289	765
Roane	1,260	612	648	429	436	865
Taylor	1,700	1,438	262	718	807	1,535
Tucker	335	195	140	72	163	235
Tyler	1,535	1,346	189	653	535	1,188
Upshur	1,567	752	815	785	347	1,132

Wayne	1,664	280	1,384	266	541	807
Webster	323	91	232	27	134	161
Wetzel	1,623	1,286	337	552	840	1,192
Wirt	921	714	207	380	452	832
Wood	3,803	2,876	927	1,392	1,552	2,944
Wyoming	502	254	248	192	224	418
TOTAL	81,121	49,344	31,777	26,940	29,090	56,030 [226]

The above figures furnish only a clue to the number who had been disfranchised in the state. The total of the third column, 31,777, does not represent the number legally and arbitrarily kept from the polls. There were many of both parties who stayed away from the polls: (1) Republicans who were opposed to further proscription and who refused to be a party to it; (2) Democrats who regarded their votes as useless. The Republican newspapers estimated the proscribed at from fifteen to twenty thousand; the Democratic papers estimated the proscribed at from twenty to twenty-five thousand. The true number of the disfranchised cannot be determined, but the opinions of conservative men and an average of the two extremes given above justify the estimate of about twenty thousand.[227]

By reference to the third and fourth columns, it will be seen that there were twenty-six of the fifty-three counties in which the right of suffrage was exercised by less than one-half of those who possessed the age qualifications. In Greenbrier, Monroe, and Jefferson counties, the number of those who voted was not more than twenty per cent of the male population of legal age. These counties had given the administration the most trouble.

A comparison of the table, which shows the number of Negroes, twenty-one years of age or more in each county of the state in 1868, with the table just given, does not show, except in a few cases, that the number of disfranchised was greatest in those counties which had the most Negroes vote. In Cabell and Braxton counties, where there were few Negroes, more than sixty per cent of the

[226] Ambler, "Disfranchisement," pp. 172-173.
[227] *Ibid.*, p. 173.

voting population was disfranchised. The struggle in West Virginia was not to give or take the ballot from the Negro. Negro suffrage entered into the fight after the plans of disfranchisement had begun. It became an issue because of the ratification of and the subsequent enforcement of the Fifteenth Amendment. The Democrats appealed to the popular prejudice against the Negro and won the election of 1870. The Democratic state administration, however, took no steps to reverse the state's ratification of the Fifteenth Amendment.[228]

THE TRIUMPH OF THE DEMOCRATIC PARTY

The state election in October, 1870, was something of a surprise to both Democrats and Republicans. It came with the bitterness of disappointment to the political leaders, who had shaped the policy of the Republican party. for it presaged the final overthrow of that party. John J. Jacob, the Democratic candidate, defeated Stevenson by a majority of 2,010 votes.[229] The Democrats had a majority of two in the State Senate and a majority of twenty-four in the House of Delegates.[230]

The Republicans gave various reasons for their defeat. Governor Stevenson said that it was because of the intimidation of registration officials through arrests made under the Enforcement Act. In a number of counties every male of voting age was allowed to vote whether he could take the voter's test oath or not. Furthermore, many election officials, anticipating the completion of the "let up" movement by the next legislature, had made no effort to prevent disfranchised citizens from voting.[231] The Wheeling *Daily Intelligencer,* the leading Republican organ in the state, offered this explanation:

> We think we can see in the papers of the east a few of the malign influences of certain men who had made Republican rule in the Eastern Panhandle of West Virginia odious and intolerable. What else caused the unprecedented changes in

[228] *Ibid.,* pp. 172-174.
[229] Atkison and Gibbens, *Prominent Men,* pp. 110-111.
[230] Fast and Maxwell, *Government of West Virginia,* p. 169.
[231] "Governor's Message," January, 1871.

> Berkeley, Jefferson, and Morgan counties, where so many people were disfranchised and where, as was publicly proclaimed in this city three years ago by a member of the Legislature from that part of the state, the number would and could be increased.[232]

Several weeks later the Wheeling *Daily Intelligencer* added that the defeat was occasioned by Republicans staying away from the polls through disgust at the extreme policy of the Radical Republicans. It stated furthermore that in Ohio County there were fifteen hundred voters who did not vote, and that two-thirds of this number were Republicans. In Marshall County eight hundred registered Republicans stayed at home, and that between three and four hundred Republicans did not vote in Marion County.

The increase in the Democratic vote did not come from the Republican ranks so much as from additional registration under the operation of the Enforcement Act. The *Intelligencer* believed that if the former Confederates had been enfranchised by the Republican party they might have been fairly divided between the two parties. To a large degree the failure of the Republican party to grasp this opportunity caused defeat. The success of the Democratic party, according to the *Intelligencer,* was due, to a large extent, to the addition of nine-tenths of reenfranchised former Confederates. Furthermore, the Flick Amendment had been proposed too late and without Republican unanimity.[223]

The Ritchie County *Star* added further light on stay-at-home Republicans.

> Another reason . . . is that a great many . . . Republicans were not prepared to accept the truth that Negro suffrage is just and right, and therefore either did not vote at all, or suffered themselves to be led into the camp of the enemy through mere prejudice.[234]

The Martinsburg *Berkeley Union* was inclined to be-

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[232] Wheeling *Daily Intelligencer*. November 3, 1870.
[233] *Ibid.*, November 24, 1870.
[234] As quoted in the Wheeling *Daily Intelligencer*, November 15, 1870.

lieve that the defeat had been brought about by the "Ohio county politicians" and their "let up" policy.[235]

Party discord seems to have had most to do with the defeat of the Republicans. Many Republicans were sincerely desirous of immediate enfranchisement and many were not. While the party as a whole was committed to a "let up" policy, there was a lack of unanimity. The Fifteenth Amendment, which was intended to enfranchise the Negro, was a change for which the public was not prepared; a reaction took place and many votes, heretofore cast for the Republican party, now were given to the Democratic party. Furthermore, the neglect of Governor Stevenson to publish the Flick Amendment in the county newspapers for three months preceding the election, as required, caused further loss of confidence in the intentions of the Republican party and many liberal Republicans cast their vote for Jacob.[236] In March, 1871, the Wheeling *Daily Intelligencer,* reflecting upon the election said that:

> If the Republican journals and leaders, who can hardly find words strong enough to express their support of the Flick Amendment, could only have seen two years ago the virtues in this policy, which they now see, and had joined with the same unanimity, cordiality, and zeal they display in behalf of that policy now, political affairs in West Virginia might have been very different at present.[237]

The Democrats were somewhat surprised at their victory. Throughout the state Democratic editorial opinion expressed a tolerant attitude toward the opposition. The view taken by the Lewisburg *Journal* was typical of the Democratic party. It said:

> We do not believe that there is in the state a Democrat who would advocate the advancement of a law proscribing any class of men, however, obnoxious and corrupt that class might be. All men are free and equal, and in the language of the Constitution of the State, 'The Powers of government shall reside in all the citizens of the State and can rightfully be exer-

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235 As quoted in the Wheeling *Daily Intelligencer,* November 7, 1870.
236 Wheeling *Register,* November 4, 1870.
237 Wheeling *Daily Intelligencer,* March 3, 1871.

cized only in accordance with their will and appointment,' and 'every citizen shall be entitled to equal representation in the government.'[238]

In the same vein the Wheeling *Register*, believing that the proscriptive course pursued by the Republican party had inflicted great injury on the state, counseled that:

> It will not do for the Democrats to think of adopting any measures of retaliation in turn. The Radical [Republican] party throughout the state need entertain no fears of any discriminative legislation at the hands of the Democratic party.[239]

Throughout the state the press discussed the course to be pursued by the incoming legislature. On one issue the Democratic party was unanimous—all disfranchising laws must be repealed. Liberal Democrats advocated the Flick Amendment as the best and shortest way to accomplish this object. On the other hand, conservative Democrats thought that a state constitutional convention should be called and that both fundamental and statute laws should be immediately freed of every appearance of war legislation.[240]

In his final message to the legislature, Governor Stevenson, recommending the passage of the Flick Amendment and its immediate submission to the people for ratification or rejection, said:

> With few exceptions those who were in the army of the Confederacy are law abiding citizens. This state of facts seem to demand favorable and immediate action upon the proposed amendment. Another reason for speedy action is found in the fact that the more dishonest and unscrupulous of those who aided in the war against the government, are already in consequence of gross perversions of the law, exercising the right to vote, while the more candid and conscientious steadily decline to do so, until the privilege is conferred upon them in a legitimate way under the Constitution and Laws of the State. In this the persons composing the latter class have shown a principle of honor which we should not fail to recognize; and certainly no stronger reason than their conduct can be urged

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238 As quoted in the Wheeling *Daily Intelligencer*, November 19, 1870.
239 Wheeling *Register*, November 2, 1870.
240 *Ibid.*, November 21, 1870.

> to show that if political rights be restored to them, they will not be used to the detriment of the State, or for the perversion of the laws.[241]

This statement could have been safely made a few years before. The newspaper accounts of robberies were perpetrated by organized bands and not by the returning Confederate soldiers. Too many peaceful citizens had to suffer for the outrages of a few.

Shortly after the organization of the Democratic legislature, bills were introduced in each house to induce it to concur in the action of the previous legislature in passing the Flick Amendment. In the senate the bill was passed unanimously and without delay. Lewis Baker, president of the senate, who as editor of the Wheeling *Register,* had denounced the Flick Amendment as a Republican measure to induce Democrats to swallow Negro suffrage, now made a speech for it.[242]

The house was divided on the Flick Amendment. The minority of the Democratic party was opposed to it because it did not contain the word "white"; they favored a state constitutional convention instead. This faction was led by Charles Lewis of Harrison County, and by E. Willis Wilson of Jefferson County. The liberal wing of the Democratic party in the house, which could depend on liberal Republican support, was led by James M. Jackson and by Henry Brannon. Although it would not oppose the calling of a constitutional convention, the liberal wing of the Democratic party favored above all the enactment of the Flick Amendment by the legislature. They argued that the Amendment should be passed and submitted to the people for ratification or rejection, so that, in case of ratification, the whole people could vote on calling a state constitutional convention.

This was the proper procedure because the Flick Amendment would reenfranchise those who had been disfranchised and then they would be able legally to vote on

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[241] "Governor's Message," January, 1871.

[242] Ambler, "Disfranchisement," p. 176. The Wheeling *Daily Intelligencer,* commenting upon their action said, "Baker swallowed himself and Walker of the *Courier* no longer stands erect and looks at the stars," January 20, 1871.

the calling of a state constitutional convention. It was contended that a full expression in the framing of a new constitution would remove one of the chief objections to the constitution, which had been voted upon by only a part of the people.

Furthermore, it was argued by the liberal wing that the people, because of the great expense of a state constitutional convention, might reject the proposition, thereby defeating the whole object of immediate enfranchisement.[243] None of these arguments influenced the conservative Democrats, and without entire Republican support the liberal Democrats would have encountered great difficulty in securing a second concurrence in the proposed amendment. By this support however, the bill was again carried, 38 to 17,[244] and a bill was subsequently passed to submit the proposed Flick Amendment to the voters for ratification or rejection on April 27, 1871.[245]

The Republicans were anxious to make it appear that the proposed amendment was strictly a party measure and that the action of liberal Democrats gave some truth to their contention. An effort was made also by the Republican party to place the responsibility of Negro suffrage on Democratic shoulders. "Where is the good old white man's party?" questioned the Wheeling *Daily Intelligencer,* and, "Who now can walk erect and look at the stars?"[246] At this same session a bill was passed submitting to the people of the state the question, whether or not a convention should be called to change the constitution of the state. The election was fixed for the fourth Thursday in August, 1871.[247]

All proscription had been abolished by the preceding legislature, except the voter's and officer's test oaths. The legislature now turned its attention to the latter which was repealed on February 3.[248] The repealing bill provided that officers should take an oath to support the Constitu-

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243 Ambler, "Disfranchisement," p. 177.
244 Atkison and Gibbens, *Prominent Men,* pp. 145-146.
245 *Session Acts* (1871), pp. 232-233.
246 Wheeling *Daily Intelligencer,* January 30, 1871.
247 *Session Acts* (1871), pp. 232-233.
248 Senate, *Journal* (1871), p. 93.

tion of the United States, the Constitution of West Virginia, and to perform the duties of his office to the best of his ability.[249]

The next act of importance to be passed by the legislature of 1871 was the election bill. On February 21, the house adopted it by a vote of 41 to 8, and the senate made it law four days later by a vote of 15 to 2.[250] This act provided several important changes in the election law. It abolished the test oath for election officials and provided that they would take the new officer's oath. It also struck out the challenging feature of the old law which had provided that if any person should challenge the right of another person to vote, the person so challenged must produce an affidavit swearing that he had given no "aid or comfort" to the rebellion.

This new law reversed this provision. It provided that any person challenging the right of another person to vote must accompany the challenge with a written charge of some specific act of constitutional disqualification, verified by a written affidavit of a qualified voter. Furthermore, the right of such person to vote would not be denied unless the charge so preferred would be proved by evidence of record, or clearly established by the oaths of at least two competent and credible witnesses.[251] This law removed practically all of the potency of the registration law and the voter's test oath.

ADOPTION OF THE FLICK AMENDMENT

The people were not interested in the election for ratification or rejection of the Flick Amendment. This amendment in certain aspects proved distasteful to a large number of each party. Many Democrats did not wish to concede Negro suffrage; many Republicans were as reluctant to concede former Confederates suffrage.[252]

The figures which follow, when compared with those

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[249] *Session Acts* (1871), p. 152.
[250] House, *Journal* (1871), p. 307; Senate, *Journal* (1871), p. 285.
[251] *Session Acts* (1871), pp. 151-153.
[252] Wheeling *Register*, April 27, and May 1, 1871; Wheeling *Daily Intelligencer*, April 28, 1871.

of 1870 on the vote for governor, reveal the fact that Greenbrier County cast three times as many votes as were cast in the county six months before. Other counties show almost the same increases, from which it appears that many disfranchised persons voted for the constitutional amendment which was to legalize their right to vote.

The counties giving majorities or a large vote against ratification were Doddridge, Grant, Hardy, Harrison, Marshall, Ohio, and Taylor counties. In Harrison the combined forces of Radical Republicans and conservative Democrats rejected ratification by an overwhelming majority. The former could not concede former Confederates suffrage; the latter would not yield on Negro suffrage. The neighboring counties of Taylor, Upshur, and Doddridge, all containing large Radical Republican elements, did not accept the Flick Amendment. It is significant that all counties south of Harrison, except Logan and McDowell, which had no returns, reacted against Radical Republicanism and accepted the Flick Amendment by an overwhelming vote. On the eastern border, Hardy, dominated by conservative Democrats, and Grant, ruled by Radical Republicans, gave large votes against ratification. In the Eastern Panhandle, Berkeley, Jefferson, and Morgan, Democratic counties which were affected greatly by Reconstruction, accepted the Flick Amendment by an overwhelming vote. In the Northern Panhandle, Republican counties little affected by Reconstruction were evenly divided. Marshall and Ohio cast large votes against the Flick Amendment, whereas Hancock and Brooke approved it. Early in the summer of 1871, the governor announced the result of the vote and that the constitution was amended. Thus the final act in the long struggle for political equality ended.

The vote on the Flick Amendment follows:

Counties	For Ratification	Against Ratification	Counties	For Ratification	Against Ratification
Barbour	483	220	Mineral	248	35
Berkeley	975	28	Monongalia	756	186
Boone	209	17	Monroe	618	101
Braxton	524	3	Morgan	189	79
Brooke	320	38	McDowell	No Returns	
Cabell	431	9	Nicholas	362	26
Calhoun	266	10	Ohio	434	368
Clay	127	3	Pendleton	324	161
Doddridge	218	231	Pleasants	211	73
Fayette	316	18	Pocahontas	349	57
Gilmer	303	2	Preston	863	38
Grant	304	329	Putnam	380	48
Greenbrier	1,044	108	Raleigh	166	59
Hampshire	521	61	Randolph	380	30
Hancock	181	77	Ritchie	626	98
Hardy	58	336	Roane	505	33
Harrison	485	709	Summers	255	10
Jackson	570	144	Taylor	364	349
Jefferson	438	215	Tucker	123	9
Kanawha	1,164	24	Tyler	330	160
Lewis	913	79	Upshur	327	318
Lincoln	559	15	Wayne	608	1
Logan	No Returns		Webster	124	0
Marion	1,114	177	Wetzel	386	94
Marshall	385	587	Wirt	381	13
Mason	702	281	Wood	1,404	167
Mercer	313	3	Wyoming	110	8
			TOTAL	23,546	6,323 [253]

[253] Atkison and Gibbens, *Prominent Men*, p. 146.

Alderson-Broaddus College

By C. H. Ambler

This institution is located on a promotory overlooking Philippi and the scene of the "first important inland engagement of the Civil War." In its present form it is a consolidation of Alderson Baptist Academy and Junior College, until 1932 located at Alderson, Greenbrier County, West Virginia, and Broaddus College, then located at Philippi, Barbour County. This consolidation was a product of depression days, a conviction on the part of sponsors of their inability to maintain two institutions, and the difficulty of competing with state-maintained institutions. The present aim is "to promote the Christian way of life, and to aid in developing competent leadership,"[1] which can perhaps be best understood from high points in the history of the parent institutions.

The history of Broaddus College, the older of these institutions, was marked by halting and trying experiences, some of which were almost fatal. Established in September, 1871 at Winchester, Virginia, as the "Winchester Female Institute" with the Rev. S. F. Chapman as principal, the following year it came under the principalship of the Rev. E. J. Willis who at once placed it upon a prosperous basis, as indicated by the fact that in the third year of its existence there were seventy-two students enrolled. As it had been under Baptist influences from the outset, its name was changed in 1875 to Broaddus Female College in honor of the Rev. Dr. William F. Broaddus, a talented Virginia Baptist.[2]

Despite these promising beginnings the College was hard hit in the depression following the panic of 1873. Moreover, two other denominational schools were then

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[1] Catalog *Bulletin* (1942-1943), p. 9.

[2] For the early history of Broaddus College see Benjamin S. Morgan and Jacob F. Cork, *History of Education in West Virginia*, pp. 134-136; Thomas C. Miller, *History of Education in West Virginia*, pp. 257-260; Alexander R. Whitehill, *History of Education in West Virginia*, pp. 79-80.

active in Winchester. Under the circumstances it was decided to move the Female College to Clarksburg, West Virginia, a thriving town of about 3,000 inhabitants, which had long tried in vain to have an institution of higher learning. The removal was effected in 1876. The new site was a beautiful grove in the center of the town, where the institution was housed in "a three-story brick, 40 by 70 feet, with a stone basement," later named "Willis Hall"; in "New Hall," a rough wooden structure, 30 by 55 feet, which was used for a chapel and study hall; and in an additional wooden structure, 28 by 80 feet, which was used as a dormitory for girls. Thus equipped the College was established on a firm basis, thanks to the capable and active efforts of the Rev. Willis, who continued in the presidency until 1885, when he was succeeded by Professor F. S. Lyon who since 1867 had been a member of the faculty and twice vice-president of West Virginia University.[3]

Although this school was sponsored from its beginnings by the Baptists, they did not take over ownership and control until the beginning of the presidency of Professor Lyon two years after they had relinquished control of Shelton College at St. Albans, Kanawha County.[4] Their purpose in concentrating upon one institution was to advance scholastic standards and more effectively to serve the Baptist denomination. In pursuit of these objectives the West Virginia Baptist General Association purchased Broaddus Female College and appointed trustees to manage and control it. At the same time a charter was procured and the name of the institution was changed to Broaddus College. Three years later (1888) with the coming of the Rev. John L. McCutcheon to the presidency, it became a coeducational institution by the admission of men to the "privilege of the classroom[5]."

With the resignation of the Rev. McCutcheon in

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[3] Morgan and Cork, *Hist. of Ed.*, pp. 134-135.
[4] Whitehill, *Hist. of Ed.*, p. 88; West Virginia *Baptist Annual* (1881), p. 19; George M. Whitescarver to Hon. A. B. Fleming (May 4, 1886) in A. B. Fleming, "Letters and Papers," Division of Documents of West Virginia University Library.
[5] Morgan and Cork, *Hist. of Ed.*, p. 135.

March, 1890, Professor H. H. Harris, a graduate of the University of Virginia, was elected to the presidency. With the help of R. R. Powell, vice-president and business manager (1890-1891), the College then took on new life, as indicated by the fact that its enrollment increased from sixty for 1888-89, to one hundred twenty for 1891-92. At that time there were four departments, namely: the primary and the preparatory for beginners and "slightly advanced pupils"; the collegiate offering two courses, the classical and the English, each leading to the A.B. degree; and the ornamental giving instruction in music and art. A "thorough business course in penmanship, bookkeeping, and banking" was about to be installed; money gifts aggregating about $18,000 had been either donated or subscribed; teachers in the collegiate and ornamental department were reported to be of "rare ability"; and the Broaddus Literary Society met regularly "in the College Parlors[6]."

Despite these auspicious showings, which were doubtless inspired in part by advertising purposes, Broaddus College was in 1892 on the verge of one of its several readjustments. The need for this was indicated the following year in an authorized statement that "no attempt will be made to make it [the College] a scoopnet to catch students of every grade and age and kind[7]." In compliance with "obvious, urgent educational needs of the State" the name was changed in 1894 from Broaddus College to "Broaddus Classical and Scientific Institute." At the same time President Harris was succeeded by Wayland F. Reynolds (1894-1896), son of Dr. P. B. Reynolds of the University and an alumnus of that institution, who functioned as president with the aid of W. M. Blair as vice-president (1894-1895). The purpose of "the Institute" was then publicly announced to be "to give a thorough preparation for entrance into the leading colleges of the country." But it continued to offer "a thorough mental training" for those who could not take a regular course[8].

[6] *Ibid.*, pp. 135-136.
[7] Miller, *Hist. of Ed.*, p. 258; *Baptist Annual* (1893), p. 18.
[8] Miller, *Hist. of Ed.*, pp. 259-260; *Baptist Annual* (1894), pp. 18-22.

Reflecting the misgivings of the situation, the Baptists had meanwhile relinquished ownership of the Institute, but with the understanding that it was to be operated "forever" in their interest.[9] Under this arrangement it was active during the ensuing sixteen years and attained a measure of success under the following principals: H. A. Leibig (1896-1897); Miss Bertha Stout (1897-1899); S. E. Swartz (1899-1905); the Rev. L. B. Moore (acting, 1905-1906); and the Rev. Elkanah Hulley (1906-1918). Among other things, the original three-story brick building was reconditioned and named Willis Hall in honor of the founder of the College; in memory of her husband, Jed G. Payne, long a trustee of the College, Mrs. Belle S. Payne erected Payne Hall, a brick structure used for office, classroom and dormitory purposes; and in 1902 a cottage for boys was erected. In 1909 the school had an endowment of $10,000, thanks to the beneficence of the National Baptist Educational Society. At that time the Institute was offering three courses of study: the classical, the scientific, and the normal. There was also an elementary department. In addition to the principal there were nine teachers, all of whom were college graduates and some had taken graduate work.[10]

Although the campus then (1909) contained ten acres the Institute was cramped, but there was no possibility of expansion as the site was near the center of the town and surrounded on three sides by canyon-like Elk Creek. Under the circumstances it was decided to move. With proceeds from the sale of the site and buildings, the Philippi location was purchased and new buildings were erected. Quite appropriately the names of the former buildings were retained in the new plant but in a single unit, appropriate parts of which were named Main Hall, Willis Hall, and Payne Hall. In 1911 Whitescarver Hall, a three-story brick, gift of George W. Whitescarver, was added for dormitory and social purposes.[11]

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[9] Miller, *Hist. of Ed.*, p. 258.
[10] *Ibid.*, pp. 258-259.
[11] Miller, *Hist. of Ed.*, pp. 258-259; Morris P. Shawkey, *West Virginia; its history, life, literature and industry*, Vol. II, pp. 5-6; Catalog *Bulletin* (1942-43), pp. 10-12; *Baptist Annual* (1909), p. 40; *ibid.*, (1910), p. 60.

In this unique location and with most of the present equipment, the Institute functioned from September, 1909 to September, 1918 under the principalship of the Rev. Hulley. During this period it was only a college preparatory and teacher training institution, but in 1918 it was raised to the rank of junior college. Seven years later it became a senior college authorized to grant A.B. and B.S. degrees. In 1927 President Hulley who was then ending the twenty-first year of his service in this school, first as principal and after 1918 as president, saw it confer its first academic degree. In addition to the usual courses leading to this degree the college then provided special courses in music, physical education, and teacher training. The standard normal was then and has since been one of its specialties.[12]

Early in 1927 President Hulley resigned and was succeeded on August 1 of that year by William W. Trent who served until 1932, when he resigned to become state superintendent of free schools of West Virginia. Meanwhile, the Baptist State Convention had in October, 1931 taken initial steps toward consolidation of Alderson Junior and Broaddus colleges, which was effected in 1932 by use of a new charter. This document vested management and control of the consolidated schools, which retained the names Alderson-Broaddus, in a board of thirty trustees nominated by the Baptist State Convention and elected by the College Board of Trustees in groups of ten for three years terms. In 1943 sixteen of these trustees were members of the West Virginia Baptist Association. According to its printed bulletins the College "is not, however, sectarian in its teachings." To effect this consolidation Alderson Junior College was discontinued.[13]

Like contemporaneous institutions of higher learning in West Virginia, as elsewhere, Alderson Junior College was the outgrowth of an academy. In this case the parent institution was Alderson Baptist Academy which was the direct descendent of Alderson Academy and more re-

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[12] Shawkey, *West Virginia*, Vol. II, pp. 5-6; *Baptist Annual* (1927), pp. 45-47.
[13] Catalog *Bulletin* (1942-1943), pp. 5, 9; *Baptist Annual* (1931), pp. 29-36.

motely of the "Old Greenbrier Male and Female Academy" which had been developed to a high state of efficiency by Professor B. E. Goode, a Presbyterian minister. As in other schools, the Junior College owed its origin in part also to sectarian rivalry and zeal, for at the time the parent academy was founded Southern Methodists were planning to take over Allegheny Collegiate Institution at Alderson and staff it entirely with Methodists. As "two-thirds of the pupils were Baptists" this was to them an unthinkable turn.[14] Hence, their interest in an educational institution of their own.

The beginnings of Alderson Academy were recorded by Miss Emma Cornelia Alderson, a teacher in the Methodist Collegiate Institute, who more than any other person was responsible for the rival institution. As the "Old Greenbrier Male and Female Academy," located just opposite the Greenbrier Baptist Church, was then for sale, she considered it a good location for a new academy. Already she "had secured a livery stable not much used" and was planning to use it. Accordingly she visited the Baptist parsonage to discuss the situation with the Rev. J. C. Killian. Together with Mrs. Killian, they talked until 2 o'clock, A.M. and came to the decision to try and secure the academy building and get Miss Alderson's brother to go along with her in founding a new academy. "Mr. Killian then knelt in prayer and asked the Lord to bless our effort."[15]

From this point the procedure was not too difficult. Miss Alderson's brother, Bernard Carroll Alderson, was then resting at his home and was persuaded to join his sister in the enterprise in the capacity of principal. Inter-

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[14] *Baptist Annual* (1902), pp. 39-42; *ibid.* (1910), pp. 12, 58; Alderson Baptist Academy, *Annual Catalog* (1912-13), p. 6; Miss Emma C. Alderson, "My Life" (MS).

[15] Miss Emma C. Alderson, "My Life" (MS), p. 23. In the purpose of its founders, especially the Aldersons, Alderson Academy was also a continuation of Allegheny College at nearby Blue Sulphur. This institution was established in 1860 by Baptists of eastern Virginia, but it was active during one year only. In 1864 the buildings were burned by Federal troops. As George Alderson, the last surviving trustee of Allegheny College, kept its traditions alive in the memory of his children, they, particularly Emma C., cherished the idea of reestablishing the institution. In this they were also influenced by a desire for a claim to priority, Broaddus Institute being an interdenominational competitor, and by the possibility of compensation for government destroyed property. Alderson, "My Life"; *The Greenbrier Baptist* for October, 1901; *ibid.*, for November, 1901; *ibid.*, for November, 1906.

ested parties were then called together; a joint stock company was formed; a board of trustees was created; and the Old Academy Building was purchased. After only three weeks of advertising Alderson Academy was opened on September 18, 1901, with 40 "pupils" present. Before the end of the first month the enrollment had reached almost one hundred. Letcher S. Shires, an A.B. alumnus of Randolph-Macon College, was then added to the faculty to teach mathematics and science and Miss Pattie Feamster to teach art. The other teachers at that time were Bernard C. Alderson, an alumnus of West Virginia University, who taught languages and history; his sister, Miss Emma C. Alderson, who taught primary and elementary subjects; Miss Minnie E. Twombly of Massachusetts, who taught music; and the Rev. J. C. Killian, pastor of the Greenbrier Baptist Church and, like his immediate successors, instructor in Bible at the Academy.[16]

The Academy began its second year with an increased enrollment and under other promising auspices, but at the end of six weeks it was overtaken by an irreparable loss in the illness of the principal. As a consequence, he was forced to seek a milder climate, and the remaining years of his life, except the last, were spent almost entirely in Florida. Meanwhile his sister administered the Academy as acting principal. She served continuously in that capacity until 1911, when the school was taken over by the West Virginia Baptist Association and named "Alderson Baptist Academy."[17]

The first years of church control were halting and uncertain; principals came and went. The first one, "Professor" E. M. Louthan, served only one year and left a deficit of $900. He was succeeded by "Professor" S. C. Bridges who resigned at the end of one year, after increasing the deficit to $2100.[18] Miss Alderson was then made principal and served in that capacity until 1918,

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[16] Alderson, "My Life"; *The Greenbrier Baptist* for October, 1901.
[17] Alderson, "My Life," pp. 24, 27; Academy, *Catalog* (1911-12).
[18] Alderson, "My Life," p. 25; *Baptist Annual* (1924), pp. 37, 41.

when the Academy was raised to junior college grade with the Rev. Mansfield French Forbell, Ph.D., D.D., Pastor of the Greenbrier Baptist Church, as president and with Miss Alderson as dean of women. Meanwhile the deficit had been met and the enrollment had increased. There were then six members of the faculty, and the future of the school was described as "never brighter . . . and more hopeful."[19] Of the ninety-eight students enrolled all but four were from West Virginia and thirty-one of them were from Greenbrier County. As then constituted the board of trustees consisted of fifteen members, one-third of whom retired annually. The entire number was selected and approved by the West Virginia Baptist Association.[20]

The Academy and College made progress under the presidency of Dr. Forbell. He launched a successful campaign for funds, as a result of which a new building costing about $300,000, was erected in 1923 on a choice site north of the town, and near the site of former Palestine Academy. For the year 1923-24 the total enrollment had reached 162.[21] However, this "progress" brought indebtedness; friends and patrons became critical; and in 1925 Dr. Forbell resigned the presidency. He was succeeded by Z. B. Edge, described by Miss Alderson, who had in 1922 resigned her deanship, as "a stranger from the South" and "an utter failure."[22] After a few weeks he resigned at the request of the trustees.

During the remaining years of its life Alderson Baptist Academy and Junior College was a struggling institution. Following the between-days departure of President Edge, the Rev. F. C. Herod, an alumnus of West Virginia University and pastor of the Greenbrier Baptist Church, was

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[19] Alderson Baptist Academy and Junior College, *Catalogue* (1918-19), p. 8; Whitehill, *Hist. of Ed.*, p. 150; Shawkey, *West Virginia*, Vol. II, p. 40.

[20] At this time the trustees were J. H. A. Miller, T. M. Reynolds, H. B. Rowe, M. L. Wood, and Geo. W. Jones for the term expiring in 1918; Dr. J. A. Wood (president), J. M. Alderson, Wm. Keeley, Rev. W. C. Harrold, and T. F. Cavendish for the term expiring in 1920. Academy and College, *Catalogue* (1918-19).

[21] *Ibid.* (1924-25); Alderson, "My Life"; Emma Frances Alderson, "Alderson Baptist Academy and Junior College" (M.A. Thesis, West Virginia University, 1943). George Alderson, father of Miss Emma Alderson, attended Palestine Academy when "Prof. Stevenson, an alumnus of Richmond College," was principal. This academy then specialized in Latin and Shakespeare and many of its students became well grounded in these subjects. At the age of ninety, Alderson could repeat lengthy quotations from Caesar. Alderson, "My Life," p. 15.

[22] Alderson, "My Life," pp. 25-26.

made acting president and Miss Alderson was recalled to the deanship of women and given the additional title of "president emeritus" which she retained until 1932. The Rev. Herod served as acting president until June, 1926, when the Rev. Judson A. Tolman, D.D., of Georgetown University, Lexington, Kentucky, was made president. Dr. Tolman retained this position three years and was succeeded in 1929 by the Rev. Walter Scott Dunlop, D.D., pastor of the Greenbrier Church, who was president at the time of consolidation. During the first year of his presidency the school reached the peak of its popularity and usefulness. The total enrollment for that year was four hundred thirty-nine. Because of a general economic depression, it declined rapidly in each of the two remaining years.

Following the merger of Alderson Junior and Broaddus colleges Ira B. Bush, former superintendent of schools of Erie, Pensylvania, and of South Charleston, West Virginia, maintained a junior college in the plant of the former College. Following his death in 1934 his staff continued to operate the school for a year or two, but it was forced to close for lack of patronage.

Although Alderson Junior College was a struggling institution even at its best, it rendered worthwhile service. Among other things it was a beacon cultural light for a large and comparatively neglected area, and the sacrifices to keep it alive sustained a wholesome philanthropy. For instance, J. Cary Alderson, brother of Miss Emma C. Alderson and a banker in Logan, West Virginia, donated $80,000 toward the construction of the college building erected under the presidency of Dr. Forbell, and Miss Alderson served the institution as teacher, principal, and dean without salary and other reward than the joy which came to her from doing something for "my Lord and the Baptists."[23] Naturally such interest and devotion left a wholesome stamp upon a large area. Opponents of the merger urged the possibilities of continuing the Alderson

[23] *Ibid.*, pp. 25-27.

institution. Their chief reasons were its location in an area of comparatively few colleges, its splendid transportation facilities, and the fact that it was in the center of the wealthiest and most populous portion of West Virginia. But the balance of power and college traditions was on the side of Philippi and the merger was effected.

Student extra-curricular activities contributed also to the effectiveness of the Academy and the Junior College at Alderson. This was especially true of the literary societies and the student publications. Beginning in 1904 the Columbian and Athenian societies edited and published intermittently until 1915 and perhaps longer *The Academician.* About 1919 this publication became *The Aldersonian,* a bi-weekly. Soon thereafter it changed its name to *Loose Boards.* A yearbook, called *The Boardwalk,* was published for the years 1924-1928 and perhaps others.[24] Academy students were interested also in *The Greenbrier Baptist,* a four page church news sheet published intermittently. The first issue appeared in July, 1901, and the last in August, 1910, but there may have been later issues.[25]

Although the records are fragmentary, they indicate that the Alderson Baptist Academy and Junior College had a creditable record in athletics. In 1908 the athletic association was reorganized to encourage field sports. In March, 1910, an Alderson Academy team won a basketball game played in the gymnasium of Allegheny Collegiate Institute, and in 1915 a basketball team from Alderson Academy made a swing through northern West Virginia and won contests with Burnsville High, Broaddus Institute, Salem College, and Gassaway High but lost to Glenville State Normal. In 1925 Alderson Junior College sponsored a second football training camp and played full schedules with high schools. The following year girls from the Academy and College won a number of games from neighboring high schools.[26]

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[24] Incomplete files of these publications have been preserved in the John M. Alderson, "Letters and Papers."

[25] Complete files for the period indicated have been preserved. See Alderson, "Letters and Papers."

[26] Alderson (M.A. Thesis).

The fact that Alderson-Broaddus College, as "a church-related" institution, continued to struggle for existence following the merger did not prove that it was unwise, because other denominational institutions, even those with endowments, had similar experiences. Largely because of depression conditions and uncertainties, Alderson-Broaddus College was more than once on the point of becoming defunct following the consolidation; faculty efficiency fell to a low degree; and the institution was spared only through the generosity of friends and patrons. The trials of this period fell of course most heavily upon the presidents. In the order of their succession they were the Rev. Dr. Walter S. Dunlop (1932-1936), the Rev. Hugh D. Pickett (acting, 1936-1937), and the Rev. E. J. Woofter (1937-1939).

With the return of prosperity the Baptists again rallied to the rescue with renewed loyalty and determination. Thus encouraged Dr. John Wesley Elliott of the Christian Education Staff of the American Baptist Publication Society was in 1939 persuaded to accept the presidency, and the college again began to show marks of progress. Even in its lowest depths it pursued a conservative course without undue resort to the granting of honorary degrees and other such friendship winning devices.

In 1943 Alderson-Broaddus College owned its physical plant, which was practically free from debt, and it had a productive endowment of about $45,000 in farm, coal, and gas lands, the income from which was neglible. It then offered both the A.B. and the B.S. degrees, together with "second class" elementary and standard normal diplomas. For the year ending in June, 1943, the enrollment, including twelve unclassified and eighty-nine summer (1941) students, totaled two hundred fifty-four.[27]

More than in most small colleges student life at Alderson-Broaddus then centered in student and religious associations. There was, however, a noticeable absence of college traditions, such as are found on more stable sites and

[27] Catalog *Bulletin* (1942-1943), p. 52.

under less fluctuating experiences. Nevertheless, the College sponsored a football team, encouraged physical education, and was tending to foster those interests and activities out of which the usual college traditions are born.

Although the Great Depression, aided doubtless by waning sectarian interests and support, almost put Alderson-Broaddus on the inactive list of colleges, it had a valuable and attractive physical plant. A physical education building, now used also for classroom purposes, was completed in 1921, and "Greystone," the President's House, was later built south of Main Hall near the end of the campus. The College also owns a two hundred sixty-five acre farm, gift of John C. Carl, which produces many of the supplies used in the dining hall and affords ambitious and industrious students an opportunity to earn a part of their expenses as farm laborers.[28]

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[28] *Ibid.*, pp. 11-12.

Some West Virginia Scientists

By Carrol H. Quenzel

Two hundred and forty-four natives of West Virginia "made" the new edition of *American Men of Science.* This biographical directory also includes 164 residents of the state who were born elsewhere. Of the native-born scientists 42, or approximately one-sixth, stayed in West Virginia, and the remaining 202 are located in 34 sister states, the District of Columbia and Hawaii.[1]

On the basis of subject-matter specialization, chemistry ranked first among native West Virginians as well as among the non-native. The 244 natives included: 64 specialists in chemistry; 22 in physics; 20 in engineering; 19 in medicine; 15 in mathematics; 13 in zoology; 12 each in geology and psychology; 9 in botany; 7 in biology; 6 each in entomology and horticulture; 4 each in animal husbandry, dairy husbandry and genetics; 3 each in plant pathology and agricultural economics; 2 each in agronomy, forestry and forest pathology, plant physiology, plant ecology, poultry husbandry, and parasitology; and I each in animal physiology, fiber technology, fisheries, ornithology, pharmacy, plant anatomy, plant genetics, science education and soils.[2]

The non-native group consists of 60 specialists in chemistry; 14 in engineering; 10 in medicine; 9 each in physics, psychology and zoology; 8 each in botany and mathematics; 5 each in horticulture and plant pathology; 4 each in geology and soils; 3 in forestry; 2 each in bacteriology, biology, entomology and pharmacy; and 1 each

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[1] Lancaster, Pennsylvania, The Science Press, 7th edition, 1944, 2033 pp. $14. Permission to make a study of the West Virginians in *American Men of Science* was graciously granted by the Editor, Mr. Jaques Cattell. For scientists for which no citation is given this directory is the principal or sole source of information. There are approximately 34,000 scientists in the directory. *American Men of Science* lists the following 7 non-natives who are excluded from the study because they are no longer working in West Virginia: Julian Azorlosa, A. B. Boese, Henry Cox, Ira B. Duncan, George A. Emerson, Donald W. McKinstry and Frank C. Olson.

[2] Appendix A.

in agronomy, animal nutrition, animal pathology, dairy husbandry, genetics, geography, parasitology and poultry husbandry.[3]

Harrison, Monongalia and Wood counties with 15 scientists each, led the state. Wood County's being in the top group is of special interest since that county outdistanced all others as the birthplace of scholars in the humanities and the social sciences.[4] The second group includes Marion, Marshall, Ohio, and Randolph counties, each with 13 scientists. Other counties represented include: Upshur with 12; Greenbrier with 10; Cabell and Lewis with 8 each; Preston with 7; Berkeley, Pocahontas and Jackson with 6 each; Fayette, Nicholas and Tucker with 5 each; Braxton, Jefferson, Kanawha, Mercer, Summers, Taylor and Tyler with 4 each; Barbour, Grant, Mason, Monroe, Ritchie, Roane and Wirt with 3 each, Hancock, Mineral, Morgan and Pendleton with 2 each; and Boone, Calhoun, Doddridge, Gilmer, Hampshire, McDowell, Pleasants, Putnam, Raleigh, Wayne and Wetzel with one apiece. Of the 55 counties 47 could claim one or more scientists. It was impossible to ascertain the native county of one scientific worker.[5]

The 205 scientists (41 native, 164 non-native) now residing in West Virginia are concentrated primarily in the educational centers and in the Kanawha Valley chemical industry. Monongalia County is first with 95, Kanawha second with 53 and Cabell third with 17. Other counties represented include Brooke and Jefferson with 6 each; Fayette, Ohio, Randolph, and Upshur with 4 each; Harrison, Marion, Mercer and Mineral with 2 each; and Mason, Raleigh, Taylor, and Wood with one each.

Of the 244 West Virginia-born scientists, 142, or approximately 58 per cent, are affiliated with universities or colleges; 51, or approximately 21 per cent, with business enterprises; 42, or approximately 17 per cent, with the government; 5, or slightly more than 2 per cent, are

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[3] Appendix B.
[4] Carrol H. Quenzel. "Some West Virginia Scholars," *West Virginia History*, vi:59 (Oct., 1944)
[5] Appendix C.

in private practice or in retirement; and 4, or slightly less than 2 per cent, with private research foundations.

Among the non-residents, 112, or slightly more than two-thirds, are connected with institutions of higher learning; 44, or approximately 27 per cent, with business; 6, or slightly more than 3½ per cent, with the government; and 2, or slightly more than 1 per cent, in retirement. The non-native West Virginia scientists started life in 35 states and in Canada, Mexico, Peru, England, Norway, Germany, Russia, Danzig Free State, French Congo, West Africa, Armenia, China, and Japan.

It is neither feasible nor necessary to give even a brief biographical sketch of each of the 410 scientists. Thus, individual biographies in this article will be restricted to the limited number of scientific workers whose pre-eminence has been indicated in the directory by starring.

The dean of West Virginia's starred scientists is W. J. Humphreys, United States Weather Bureau physicist, who was born at Gap Mills in 1862. Dr. Humphreys is a member of an old and distinguished Greenbrier Valley family. In 1791 his Irish-born great, great grandfather, Samuel Humphreys, acquired land from the state of Virginia and about ten miles north of White Sulphur Springs erected a double log house which is still in use.

The physicist's great grandfather, Robert Humphreys, was reputed to have been a "fine fiddler, orator, poet, and of such powerful physique that not even a drunk ever risked insulting him." Dr. Humphrey's uncle, Milton Wylie Humphreys, was for many years professor of Greek at the University of Virginia, and the former's physician brother, L. W. Humphreys, was the author of a posthumously published volume entitled *Linda Lee and Other Verses.*

Humphreys received his A.B. from Washington and Lee University, a C.E. from the University of Virginia and his Ph. D. from Johns Hopkins. He taught in the Miller School in Albemarle County, in Washington College in Maryland and in the University of Virginia. He

was supervising director of the Mt. Weather Observatory from 1905 to 1908 and professor of meteorological physics in the United States Weather Bureau from 1905 until 1935. Since that time he has been a collaborator of the Weather Bureau.

Dr. Humphreys' research has included studies in the solution and diffusion of metals in mercury, electric discharges, flash spectra; upper inversion of the isothermal layer of the atmosphere, pressure effect on arc spectra, and the physics of the air. A member of scientific expeditions, he has been honored by medals, offices and membership in American and foreign scientific associations.[6]

Another starred physicist is Alpheus W. Smith, dean of the graduate school of Ohio State University since 1938. One of his maternal ancestors settled in what is now Hardy County in the eighteenth century and another maternal forebear, William F. Wilson, owned the land upon which Philippi is located.

Smith was raised on a farm and in Philippi, taught a district school in Barbour County, attended the West Virginia Conference Seminary at Buckhannon, was graduated from West Virginia University and taught one year at West Liberty Normal School. After receiving an A.M. and a Ph.D. from Harvard he taught at Haverford College and the University of Wisconsin before joining the Ohio State faculty in 1909. He has been chairman of the department of physics and astronomy since 1926.

His research has included the expansion and compressibility of ether and of alcohol in the neighborhood of their boiling points, reversal of Corbino effect in iron, the magnetic susceptibility of mixtures of liquids, infra-red absorption in glasses, thermo-electromotive force in a magnetic field, and the thermal conductivity of alloys.

Dr. Smith's two children are also engaged in scientific pursuits, Robert B. Smith being an aeronautical engineer with Douglas Aircraft Company, and Theodore

[6] Letter from William J. Humphreys to the author, Nov. 7, 1944.

B. Smith, a meteorologist, doing research at California Institute of Technology.[7]

In the late Douglas W. Johnson, Wood County could justly claim a distinguished geologist and geographer. As editor of *The Freeman,* of Parkersburg, his father, Isaac Hollenback Johnson, was a pioneer campaigner for national prohibition. His mother, Jane Amanda (Wilson) Johnson, was president of the West Virginia Women's Christian Temperance Union. An uncle, Okey Johnson, was chief justice of the West Virginia Supreme Court and dean of the University Law School; a second uncle, Daniel D. Johnson, was a member of the University Board of Regents and a College of Agriculture staff member; and a third uncle, Thomas C. Johnson, was a prominent Baptist clergyman.

After graduating from Parkersburg High School he attended Denison University for two years before transferring to the University of New Mexico where he received his B.S. in 1901. He was awarded a Ph.D. in geology by Columbia in 1903, but he continued graduate study in physiography at Harvard during the following academic year.

Before going to Columbia University as associate professor of physiography he served as field assistant with both the United States geological surveys and the University of New Mexico, as a high school teacher in Albuquerque, as a faculty member at Massachusetts Institute of Technology and as an assistant professor at Harvard. In 1919 Columbia promoted him to the rank of professor, in 1937 he was made executive officer of the department of geology and in 1943 he was named Newberry Professor of Geology.

During World War I, Dr. Johnson went to Europe on a joint mission for the American Geographical Society and the Department of State to study the effect of topography upon military operations in Belgium, France, Italy and the Balkans. Attached to the American Peace Com-

[7] Letter from Alpheus W. Smith to the author, Dec. 5, 1944.

sion as technical adviser in geography, he was President Wilson's special expert on Southeast European territorial problems.

He lectured in twelve French universities as an exchange professor for the academic year 1923-1924. In 1926 he was consulting physiographer to the Canadian government in the Labrador boundary dispute.

Dr. Johnson was much in demand as a physiographic and geologic consultant. He conducted the Shaler memorial investigation of shoreline changes on the Atlantic coast of North America, making an exhaustive study of the entire shoreline from Prince Edward Island to the Florida Keys. For comparative purposes he visited the coasts of England, Scotland, Sweden, Holland and Germany.

He was the author of the following books: *Topography and Strategy in the War; Battlefields of the World War; Shore Processes and Shoreline Development;* the *New England-Acadian Shoreline; Paysages Americains et Problemes Geographiques; Stream Sculpture on the Atlantic Slope; The Origins of the Submarine Canyons;* and *The Origin of the Carolina Bays.* Two of his books received the A. Cressy Morrison prize of the New York Academy of Science. He also published a large number of essays and articles. In 1938 he became editor of the *Journal of Geomorphology.*

More vocal on political questions than many scientists, he was one of the organizers of the American Rights League, founded in 1916 to secure American participation in the war. When President Roosevelt advocated enlarging the Supreme Court, Dr. Johnson wrote a booklet entitled *The Assault on the Supreme Court* which was widely distributed by the National Committee to Uphold Constitutional Government.[8]

On February 24, 1944, while in Florida, he suffered a fatal heart attack.

A West Virginian who has been starred in the last three editions of *American Men of Science* is the psychol-

[8] Data furnished by Paul F. Kerr, Executive Officer, from the Departmental files, Department of Geology, Columbia University, (Nov. 13, 1944).

ogist and zoologist, K. S. Lashley. He was born in Davis, where his father had moved about 1885 to take charge of a general store. The elder Lashley was active in the life of the town, serving twice as postmaster, and as mayor for several years.

Except for two interrupted terms in the Seattle schools while his father participated in the Klondike gold rush, Lashley gained his primary and secondary education in the public schools of Davis and in a prep school in Morgantown. He states that J. B. Johnston and A. M. Reese were his most influential teachers in his undergraduate years, during which his marks ranged from "98 in military science to 23 in freshman English." To the A.B. he received from the University, he added a M.S. and a Sc.D. from the University of Pittsburgh, a Ph.D. from Johns Hopkins and a Sc.D. from the University of Chicago.

Dr. Lashley occupied all academic ranks from instructor to professor at the University of Minnesota; he was psychologist for the Institute of Juvenile Research in Chicago for two years; and professor of psychology at the University of Chicago for six. In 1935 he moved to Harvard, becoming research professor of neuropsychology two years later and director of the Yerkes Laboratories of Primate Biology in 1942.

His research interests include heredity, color vision, instincts of birds and primates, neural anatomy and physiology, sex behavior of animals, meningitis, and human parasitology.

It may interest some to know that Lashley tutored Harry Wheat in Latin.[9]

The fifth starred native West Virginian, C. T. Brues, is also on the Harvard faculty. Born in Wheeling, zoologist Brues was educated at the University of Texas and Columbia. Before going to Cambridge, where he climbed from the rank of instructor to a professorship and the post of associate curator of insects in the Museum of Compara-

[9] Letter from K. S. Lashley to the author, Nov. 15, 1944.

tive Zoology, he was successively field agent of the United States Department of Agriculture and curator of invertebrate zoology of the Milwaukee Public Museum.

Professor Brues is a specialist in applied and medical entomology; the relations of insects to micro-organisms; the embryology, ecology and taxonomy of insects; fossil Hymenoptera; food selection by insects; and the fauna of thermal springs.

In return for the five starred scientists born in the state, West Virginia received C. R. Orton, plant pathologist, and A. M. Reese, zoologist. Orton, a Vermonter by birth and undergraduate education, did his graduate work at Purdue and Columbia. Before accepting the headship of the University plant pathology department in 1929, he had been at Pennsylvania State College for sixteen years and previous to that at Purdue and the University of Wisconsin. An authority on Uredinales, Dothideales, plant diseases, and seed-borne parasites, Orton was made dean of the College of Agriculture and director of the Experiment Station in 1938.

Dr. Reese, professor of zoology in the University since 1907, is widely and favorably known to West Virginia scientists. A specialist on the American alligator and reptilia, Reese was born at Lake Roland, Maryland, and educated at Johns Hopkins. His earlier teaching was done in high schools; the Homeopathic Medical College, Baltimore; Allegheny College; and Syracuse University. In 1913 he was a member of the Smithsonian expedition to the Orient and in 1919 he was with the expedition which the Carnegie Institution sent to South America.

CONCLUSIONS

Cognizance of the danger inherent in sweeping generalizations should not inhibit us from drawing a few warranted conclusions regarding West Virginia scientists. Since 203 native scientists have left the state and since only 167 were received in return, there is a net loss of 36.

From a "qualitative" standpoint there was also a loss, 5 starred scientists being exported and only 2 imported. These figures seem to support the thesis that there is a drain of talent from West Virginia.

A fourth of the natives and more than 37 per cent of the non-natives are chemists. This numerical predominance can be partly explained by the state's richness in chemical salts and fuels and by the educational facilities for chemical training.

The northern half of the state has been more prolific in producing scientists than the southern. This can probably be attributed to the fact that on the whole it has been settled longer and consequently developed educational facilities earlier.

The analysis of type of employer seems to substantiate the contention that one's chances of receiving professional recognition are greater if he is employed by a university than by industry.

APPENDIX A

Native West Virginia Scientists Classified According to Subject Fields:

Chemistry: 1. Howard B. Arbuckle, Davidson (N. C.) College; 2. Howard G. Ashburn, Tennessee Polytechnic Institute, Cookeville; 3. Samuel R. Aspinall, Office of Scientific Research and Development, Washington, D. C.; 4. Richard H. Bailes, Research Association, California, Berkeley; 5. J. F. Bartlett, Marshall College; 6. Howard L. Bender, Bakelite Corp., Bloomfield, N. J.; 7. Nelson W. Bolyard, Armour and Co., Chicago; 8. William G. Bowers, Colorado State College of Education, Greeley; 9. Richard C. Brandon, Standard Oil Development Co., Elizabeth, N. J.; 10. Paul S. Brooks, National Carbon Co., Lakewood, Ohio; 11. Friend E. Clark, West Virginia University; 12. M. J. Copley, Eastern Regional Research Laboratory, Philadelphia; 13. Paul J. Daughenbaugh, Merck and Co., Wrightstown, Pa.; 14. W. W. Davis, Eli Lilly and Co., Indianapolis; 15. Thomas B. Douglas, Montana State College, Bozeman; 16. Leonard S. Echols, Jr., Shell Oil Co., Wood River, Illinois; 17. Harvey R. Fife, Mellon Institute, Pittsburgh; 18. C. Harold Fisher, Eastern Regional Research Laboratory; 19. B. H. Gilmore, H. J. Heinz Co., Pittsburgh; 20. Arthur B. Gould, Salem (W. Va.) College; 21. Kenneth W. Greenlee, Ohio State University, Columbus; 22. William A. Gruse, Mellon Institute; 23. W. Heinlein Hall, Bowling Green (O.) State University; 24. Albert F. Hardman, Goodyear Tire and Rubber Co., Akron, O.; 25. John W. Haught, E. I. du Pont, Bloomfield, N. J.; 26. Samuel R. Hoover, Eastern Regional Research Laboratory; 27. Earle D. Jennings, College of Charleston, S. C.; 28. William M.

Lanham, Carbide and Carbon Chemicals Corp., S. Charleston; 29. M. S. Larrison, Allied Chemical and Dye Corp., Philadelphia; 30. Laurence Laird Layton, Distillation Products, Inc., Rochester, N. Y.; 31. Charles L. Lazzell, West Virginia University; 32. Hans Lineweaver, United States Department of Agriculture, Albany, California, 33. J. A. Loritsch, General Electric Co., Scotia, N. Y.; 34. John McGraw, Jr., Concord College, Athens; 35. Maurice Macht, E. I. du Pont, Arlington, N. J.; 36. John Marshall, E. I. du Pont, Wilmington, Del.; 37. Arthur F. Martin, Hercules Powder Co., Del.; 38. W. H. Moran, University of North Dakota, Grand Forks; 39. Harley J. Morris, Viscose Co., Meadville, Pa.; 40. Henrietta Morris, Oregon State College, Corvallis; 41. Walter C. Preston, Proctor and Gamble Co., Cincinnati; 42. Chester L. Read, Standard Oil Development Company., Westfield, N. J.; 43. Floyd W. Reynolds, National Bureau of Standards, Washington, D. C.; 44. Earl Riblett, M. W. Kellogg Co., Jersey City; 45. Lonnie W. Ryan, United Color and Pigment Co., Newark, N. J.; 46. Frank V. Sander, Ortho Products, Inc., Highland Park, N. J.; 47. Landon A. Sarver, American Viscose Corp., Roanoke, Va.; 48. Irl C. Schoonover, National Bureau of Standards; 49. Albert B. Scott, Norwich Pharmacal Co., Norwich, N. Y.; 50. Sterl A. Shrader, Dow Chemical Co., Midland, Mich,; 51. William Nelson Stoops, Carbide and Carbon Chemicals Corp.; 52. J. Bartlett Sutton, E. I. du Pont, Wilmington, Del.; 53. Ralph C. Swann, Pure Oil Co., Skokie, Ill.; 54. Carl A. Swisher, Cincinnati College of Pharmacy; 55. Margaret C. Swisher, University of Buffalo; 56. W. H. Walker, Morris Harvey College, Charleston; 57. Virgil W. Ware, Rohm and Haas Co., Philadelphia; 58. Clarence F. Wells, E. I. du Pont, Wilmington, Del.; 59. Benton B. Westfall, National Institute of Health, Washington, D. C.; 60. Roy L. Whistler, United States Department of Agriculture, Peoria, Ill.; 61. Joseph C. White, Naval Research Laboratory, University Park, Md.; 62. Raymond C. White, North Carolina State College, Raleigh; 63. William K. Wilson, National Bureau of Standards; 64. John P. Wintermoyer, University of Maryland, College Park.

Physics: 1. Robert W. Boreman, Carnegie Institute of Technology, Pittsburgh; 2. A. Dixon Callihan, College of the City of New York; 3. O. Rex Ford, West Virginia University; 4. Enoch F. George, Hamilton College, Clinton, N. Y.; 5. Ira J. Gwinn, Morningside College, Sioux Falls, Iowa; 6. Joseph E. Henderson, University of Washington, Seattle; 7. Harry Hill, Washington and Jefferson College, Washington, Pa.; 8. Alonzo L. Hook, Elon (N. C.) College; 9. William J. Humphreys, United States Weather Bureau, Washington; 10. Hubert M. James, Purdue University, Lafayette, Indiana; 11. Norris Johnston, General Petroleum Corp., Alhambra, Calif.; 12. F. Wheeler Loomis, University of Illinois; 13. Bradford Noyes, Jr., Faichney Instrument Corp., Watertown, N. Y.; 14. Cecil O. Riggs, Waynesburg (Pa.) College; 15. James E. Shrader, Drexel Institute, Philadelphia; 16. Alpheus W. Smith, Ohio State University; 17. Ross D. Spangler, La Crosse (Wis.) State Teachers College; 18. Charles D. Thomas, West Virginia University; 19. James L. Thomas, National Bureau of Standards; 20. Harvey E. White, University of California, Berkeley; 21. John R. Woodyard, Sperry Gyroscope Co., Garden City, N. Y.; 22. W. Jacque Yost, Magnolia Petroleum Co., Dallas, Texas.

Engineering: 1. Ralph M. Barnes, University of Iowa, Iowa City; 2. Harry Howard Bates, Westinghouse Electric Co., Pittsburgh; 3. Carroll Billmyer, Rhode Island State College, Kingston; 4. Richard P. Carter, Hercules Powder Co., Wilmington, Del.; 5. William S. Downs, West Virginia Universtiy; 6. Hugo Duling, Georgia Institute of Technology, Atlanta; 7. A. H. Forman, West Virginia University; 8. A. A. Hall, West Virginia University; 9. L. Kermit Herndon, Ohio State Universty; 10. Otto Henry, Polytechnic Institute of Brooklyn; 11. Harley Iams, Radio Corporation of America, Summit, N. J.; 12. Charles B. Jolliffe, Radio Corporation of America, Camden, N. J.; 13. Thomas R. Lawson, Rensslaer Polytechnic Institute, Troy, N. Y. (emeritus); 14. D. L. McElroy, Fairmont Coal Co.; 15. Pietro Muscari, Radio Research Laboratories, Marietta, O. (now Lieut. Signal Corps, United States Army); 16. Carl B. Post, Carpenter Steel Co., Reading, Pa.; 17. Philip E. Rush, University of Pittsburg; 18. Howard E. Satterfield, North Carolina State College, Raleigh; 19. G. V. Smith, United Steel Corp., Kearney, N. J.; 20. Carl M. Wolfe, Boeing Aircraft Co., Seattle.

Medicine and Bacteriology: 1. G. Howard Bailey, Johns Hopkins, Baltimore; 2. James Harvey Black, Baylor, Waco, Texas; 3. Harold Blumberg, Johns Hopkins University School of Hygiene and Public Health, Baltimore; 4. Martin Bonar, dermatologist, Charleston, W. Va.; 5. Chandler M. Brooks, Johns Hopkins School of Medicine, Baltimore; 6. Bernice E. Eddy, United States Public Health Service, Bethesda, Maryland; 7. Ella M. A. Enlows, practicing physician, Washington, D. C.; 8. John J. Fahey, Loyola University, Chicago; 9. William L. Fleming, University of North Carolina, Chapel Hill; 10. Captain Montgomery E. Higgins, Potomac River Naval Command; 11. Norman Joliffe, New York University Medical School; 12. Ruth Alexander Miller, College of Physicians and Surgeons, Columbia University, New York; 13. Samuel Morris, Infirmary, West Virginia University; 14. Horace O. Parrack, Harvard University Medical School, Cambridge, Mass. (now on Military leave); 15. M. A. Rafferty, A. Miles Laboratories, Elkhart, Indiana; 16. Robert H. Riley, Johns Hopkins; 17. James K. Scott, University of Virginia Hospital, Charlottesville; 18. Philip A. Shaffer, Washington University School of Medicine; 19. John N. Simpson, West Virginia School of Medicine (retired).

Mathematics: 1. Joseph Barnett, Oklahoma Agricultural and Mechanical College, Stillwater; 2. Amos H. Black, Lebanon Valley College, Annville, Pa.; 3. Paul P. Boyd, University of Kentucky, Lexington; 4. L. H. Chambers, Marshall College; 5. Hannibal A. Davis, West Virginia University; 6. Duncan C. Harkin, Brooklyn College (on leave with U. S. Navy Department); 7. Ralph A. Hefner, Georgia Institute of Technology; 8. George H. Light, University of Colorado, Boulder; 9. Dorothy Alderson Moore, West Liberty (W. Va.) State College; 11. Daniel T. Sigley, Kansas State College, Manhattan; 12. George W. Starcher, Ohio University, Athens; 13. Charles L. Thornburg, Lehigh University, South Bethlehem, Pa.; 14. Bird M. Turner, West Virginia University; 15. Charles H. Wheeler, 3d., University of Richmond.

Zoology: 1. Reeve M. Bailey, Iowa State College, Ames; 2. C. T.

Brues, Harvard University, Cambridge, Mass.; 3. Robert K. Burns, Carnegie Institution, Johns Hopkins University School of Medicine, Baltimore; 4. D. B. Casteel, University of Texas, Austin; 5. Paul R. Cutright, Beaver College, Jenkintown, Pa.; 6. Cleveland Hickman, De Pauw University, Greencastle, Ind.; 7. Dwight L. Hopkins, Mundelein College, Chicago; 8. Harriett S. Hyman, Ohio State University; 9. Theodore McMillion, Geneva College, Beaver Falls, Pa.; 10. John A. Moore, Barnard College, New York City; 11. Robert C. Patterson, Potomac State School, Keyser, W. Va.; 12. C. D. Williams, Rider College, Trenton, N. J.; 13. Florence Wood, Fairmont, W. Va.

Geology: 1. Chalmer L. Cooper, State Geological Survey, Urbana, Ill.; 2. Brooks F. Ellis, New York University; 3. Ray V. Hennen, consulting geologist, Morgantown; 4. Douglas Johnson, Columbia University (deceased); 5. E. Russell Lloyd, consulting geologist, Midland, Tex.; 6. Watson H. Monroe, United States Geological Survey, Washington, D. C.; 7. Paul H. Price, West Virginia state geologist, West Virginia University; 8. Frank Reeves, Petroleum Administration for War, Oakland, Md.; 9. David B. Reger, West Virginia Geological Survey, Morgantown; 10. J. F. Robinson, East Ohio Gas Co., Cleveland, Ohio.; 11. Ray L. Six, Oklahoma Agricultural and Mechanical College, Stillwater, Oklahoma; 12. H. W. Straley, III, Worthington Consulting Service, Washington, D. C.

Psychology: 1. Robert Bates, Virginia Military Institute, Lexington, Va.; 2. G. Hamilton Crook, University of Minnesota, Minneapolis; 3. Mason N. Crook, Skidmore College, Saratoga Springs, N. Y.; 4. Mervin A. Durea, Ohio State University; 5. Joseph V. Hanna, Washington Square College, New York University; 6. Benjamin F. Haught, University of New Mexico, Albuquerque; 7. K. S. Lashley, Yerkes Laboratories, Orange Park, Fla.; 8. Quinn McNemar, Stanford University, California; 9. D. E. Phillips, Shepherd College, Shepherdstown, W. Va.; 10. Florence M. Teagarden, University of Pittsburgh; 11. Florence H. Van Bibber, Marshall College; 12. Marion A. Wenger, Antioch College, Yellow Springs, O.

Botany: 1. Lee Bonar, University of California, Berkeley; 2. Maurice Brooks, West Virginia University; 3. Russell G. Brown, University of Maryland, College Park; 4. Earl L. Core, West Virginia University (on leave in South America); 5. William B. Fox, University of Iowa (on leave in United States Army); 6. E. Meade McNeill, Concord College, Athens; 7. Robert Spangler, West Virginia University; 8. Edith Stevens, Farmville (Va.) State Teachers College; 9. Jonathan J. Westfall, Moorhead (Minn.) State Teachers College.

Biology and Cytology: 1. Roy P. Ash, William and Mary College, Williamsburg, Va. (on leave, Lieut. Sanitary Corps, United States Army); 2. Harley D. Bond, Salem College; 3. Earle A. Brooks, Boston University (emeritus); 4. Clyde D. Ervin, Oshkosh (Wis.) State Teachers College; 5. Gail Hamilton Holliday, Wheeling (W. Va.) High School; 6. Ward M. Sharp, Red Rock Lakes National Wildlife Refuge, Monida, Mont.; 7. Thaddeus Surber, Minnesota State Game and Fish Department, St. Paul.

Entomology: 1. Clifford R. Cutright, Ohio Agricultural Experiment

Station; Wooster; 2. Edwin Gould, University Experimental Farm, Kearneysville; 3. Jennings R. Hickman, Michigan State Normal College, Ypsilanti; 4. A. D. Hopkins, Eastern Regional Research Laboratory, Philadelphia; 5. Ray Hutson, Michigan State College, E. Lansing; 6. Ralph H. Marlowe, United States Department of Agriculture, Honolulu, Hawaii.

Horticulture: 1. John H. Beaumont, University of Hawaii, Honolulu; 2. Roger W. Bledsoe, Allied Chemical and Dye, New Brunswick, N. J., 3. H. L. Crane, United States Department of Agriculture; 4. Troy M. Currence, University of Minnesota; 5. A. C. Hildreth, United States Department of Agriculture, Salinas, Calif.; 6. Albert F. Vierheller, University of Maryland, College Park, Md.

Animal Husbandry: 1. Edward A. Livesay, West Virginia University; 2. Earl W. Sheets, Mississippi State College, State College; 3. L. V. Starkey, Clemson (S. C.) Agricultural College; 4. C. V. Wilson, West Virginia University.

Dairy Husbandry: 1. George A. Bowling, West Virginia University; 2. William Carson Brown, Chicago; 3. Arthur D. Burke, Alabama Polytechnic Institute, Auburn; 4. Paul G. Miller, Clemson (S. C.) Agricultural College.

Genetics: 1. W. S. Anderson, University of Kentucky, Lexington (emeritus); 2. William Lacy Brown, Rogers Bros. Seed Co., Olivia, Minn.; 3. Ralph W. Phillips, United States Department of Agriculture, Beltsville, Md.; 4. Bryan L. Wade, United States Department of Agriculture, Charleston, S. C.

Plant Pathology: 1. Robert W. Fulton, University of Wisconsin, Madison; 2. Hickman C. Murphy, Iowa State College, Ames; 3. Albert J. Riker, University of Wisconsin.

Agricultural Economics: 1. A. J. Dadisman, West Virginia University; 2. Dickson W. Parsons, West Virginia University; 3. O. C. Stine, United States Department of Agriculture, Washington, D. C.

Agronomy: D. R. Dodds, Ohio State University; 2. Henry Dorsey, University of Connecticut, Storrs.

Forestry and Forest Pathology: 1. A. B. Brooks, Oglebay Park, Wheeling; 2. Berch Henry, University of Wisconsin.

Helminthology and Parasitology: 1. Emmett W. Price, United States Department of Agriculture, Washington, D. C.; 2. S. Benton Talbot, Davis and Elkins College, Elkins, W. Va.

Plant Ecology: 1. Hollie C. Darlington, Marshall College; 2. Augustine V. P. Smith, Central High School, Washington, D. C.

Poultry Husbandry: 1. G. O. Hall, Cornell University, Ithaca, N. Y.; 2. A. R. Winter, Iowa State, Ames.

Animal Physiology: 1. S. E. Smith, United States Department of Ag-

riculture, United States Plant, Soils and Nutrition Laboratory, Ithaca, New York.

Fiber Technology: 1. Earl E. Berkley, United States Department of Agriculture, Beltsville, Md.

Ornithology: 1. Charles O. Handley, Virginia Wildlife Research Unit, Blacksburg, Va.

Pharmacy: 1. Walter Strother, University of South Carolina, Columbia.

Plant Anatomy: 1. James F. Ferry, Washington, D. C.

Plant Genetics: 1. O. A. Pope, United States Department of Agriculture, Washington, D. C.

Science Education: 1. Edna W. Bailey, University of California, Berkeley.

Soils: 1. M. Francis Morgan, Connecticut Experiment Station, New Haven.

APPENDIX B

NON-NATIVE WEST VIRGINIA SCIENTISTS CLASSIFIED ACCORDING TO SUBJECT FIELDS

Chemistry: 1. Ralph V. Andes, Westvaco Chlorine Products Co., South Charleston; 2. A. C. Blackwell, Morris Harvey College, Charleston; 3. Carl G. Campbell, Zenith Optical Co., Huntington; 4. Henry C. Chitwood, Carbide and Carbon Chemicals Corp.; 5. A. R. Collett, West Virginia University; 6. Russell B. Cooper, E. I. du Pont, Belle; 7. Earl C. H. Davies, West Virginia University; 8. H. Donald Dawson, Bethany College; 9. Lily Bell Sefton Deatrick, West Virginia University; 10. Arthur K. Doolittle, Carbide and Carbon Chemicals Corp.; 11. Dortha Bailey Doolittle, Morris Harvey College; 12. Edward W. Doughty, Carbide and Carbon Chemicals Corp.; 13. Stuart D. Douglas, *ibid.;* 14. Alfred W. Downes, *ibid.;* 15. Isaac Drogin, United Carbon Co.; 16. Jesse T. Dunn, Carbide and Carbon Chemicals Corp.; 17. R. B. Dustman, West Virginia University; 18. George W. Fowler, Carbide and Carbon Chemicals Corp.; 19. John A. Gibson, West Virginia University; 20. Alvah J. W. Headlee, West Virginia Geological Survey; 21. Ray E. Heiks, Marshall College; 22. Hubert Hill, West Virginia University; 23. Raymond I. Hoagland, Carbide and Carbon Chemicals Corp.; 24. H. C. Holden, *ibid.;* 25. Nicholas Hyma, West Virginia Wesleyan College, Buckhannon; 26. Donald R. Jackson, Carbide and Carbon Chemicals Corp.; 27. Bernard H. Jacobson, Ohio-Apex, Nitro; 28. C. A. Jacobson, West Virginia University; 29. Franklin Johnston, Carbide and Carbon Chemicals Corp.; 30. George H. Law, *ibid.;* 34. P. L. MacLachlan, West Virginia University; 32. Raymond W. McNamee, Carbide and Carbon Chemicals Corp.; 33. David F. Menard, Wheeling Stamping Co., Wheeling; 34. Thomas R. Miller, Carbide and Carbon Chemicals Corp.; 35. Paul

J. Moore, West Virginia State College, Institute; 36. Albert G. Moseley, Marshall College; 37. Frank H. Moser, Standard Ultramarine Co., Huntington; 38. James V. Murray, Carbide and Carbon Chemicals Corp.; 39. Lawrence W. Newton, *ibid.;* Robert G. Owen, *ibid.;* 41. Willard A. Payne, E. I. du Pont, Belle; 42. Granville A. Perkins, Carbide and Carbon Corp.; Benjamin Phillips, Jr., *ibid.;* 44. John A. Pianfetti, Westvaco Chlorine Products Co.; 45. Whitfield Price, Westvaco; 46. Raymond B. Purdum, Davis and Elkins College, Elkins, W. Va.; 47. William M. Quattlebaum, Carbide and Carbon Chemicals Corp.; 48. George H. Reid, *ibid.;* 49. P. E. Roller, Morris Harvey College; 50. Kenneth C. Rule, Westvaco Chlorine Products Co.; 51. G. Vincent Scofield, Carbide and Carbon Chemicals Corp.; 52. Sidney D. Smith, E. I. du Pont, Belle; 53. Robert M. Thomas, Westvaco Chlorine Products Co.; 54. Leslie J. Todd, Marshall College; 55. Walter E. Vail, E. I. du Pont, Belle; 56. A. H. Van Landingham, West Virginia University; 57. William J. L. Wallace, West Virginia State College, Institute; 58. Charles E. Weakley, West Virginia University Experiment Station; 59. Jacob N. Wickert, Carbide and Carbon Chemicals Corp.; 60. Arthur W. Wishart, Corning Glass Works, Parkersburg.

Engineering: 1. G. P. Boomsliter, West Virginia University; 2. R. P. Davis, *ibid.;* 3. Robert B. Egbert, Carbide and Carbon Chemicals Corp.; 4. J. H. Gill, West Virginia University; 5. Charles H. Gilmour, Carbide and Carbon Chemicals Corp.; 6. J. B. Grumbein, West Virginia University; 7. Lesle D. Hayes, *ibid.* (deceased); 8. W. W. Hodge, West Virginia University; 9. Walter A. Koehler, *ibid.;* 10. Charles E. Lawall, *ibid.;* 11. Carl Scholz, Raleigh-Wyoming Coal Co., Charleston; 12. Howard P. Simons, West Virginia University; 13. Morgan Chuan-Yuan Sze, E. I. du Pont, Belle; 14. Donald S. Ullock, Carbide and Carbon Chemicals Corp.

Medicine: Simon B. Chandler, West Virginia University; 2. Eugene De Angelis, *ibid.;* 3. Gideon S. Dodds, *ibid.;* 4. C. C. Fenton, *ibid.;* 5. M. C. Godwin, *ibid.*; 6. Fritz Levy, Davis Memorial Hospital, Elkins; 7. David D. Northup, West Virginia University; 8. Robb S. Spray, *ibid.;* 9. J. Clifford Stickney, *ibid.;* 10. Edward J. Van Liere, West Virginia University.

Zoology: 1. B. G. Anderson, West Virginia University; 2. Lloyd R. Gribble, *ibid.;* 3. James S. Gutsell, United States Fisheries Experiment Station, Kearneysville; 4. A. M. Reese, West Virginia University; 5. Victor Sprague, Marshall College; 6. Frederick E. Thornton, West Virginia Institute of Technology, Montgomery; 7. William I. Utterback, Marshall College; 8. B. R. Weimer, Bethany College; 9. Peter J. Zucchero, West Virginia Institute of Technology, Montgomery.

Physics: 1. Charles E. Albert, Davis and Elkins College, Elkins; 2. John A. Aldrich, Potomac State School, Keyser; 3. J. S. V. Allen, Bethany College; 4. Robert C. Colwell, West Virginia University; 5. Otis P. Hendershot, West Virginia Wesleyan College; 6. Ralph P. Hron, Marshall College; 7. Claude E. Kiplinger, West Liberty State College; 8. Fred A. Molby, West Virginia University; 9. Leo G. Raub, West Virginia Institute of Technology, Montgomery.

Psychology: 1. A. W. Bickley, Marshall College; 2. Elsworth B. Bowers, *ibid.;* 3. H. G. Canady, West Virginia State College, Institute; 4. Quin Curtis, West Virginia University; 5. Kenneth K. Loemker, Marshall College; 6. Marie Hackl Means, City Department of Public Assistance, Grafton; 7. Freida K. Merry, Morris Harvey College; 8. Elizabeth M. Stalnaker, West Virginia University; 9. John E. Winter, *ibid.*

Mathematics: 1. Margaret Buchanan Cole, West Virginia University; 2. W. H. Cramblet, Bethany College; 3. John A. Eiesland, West Virginia University (retired); 4. William H. Erskine, Bethany College; 5. William A. Hallam, West Virginia Wesleyan College; 6. Clarence N. Reynolds, West Virginia University; 7. Wallace F. Smith, West Virginia Institute of Technology; 8. Charles H. Vehse, West Virginia University.

Botany: 1. Nelle P. Ammons, West Virginia University; 2. G. H. Bretnall, Shepherd State College; 3. Joseph L. Cartledge, West Virginia University; 4. Frank A. Gilbert; 5. Coleman J. Harris, Morris Harvey College; 6. Raymond F. Janssen, Marshall College; 7. John L. Shelton, Morgantown; 8. Perry D. Strausbaugh, West Virginia University.

Horticulture: 1. Lawrence P. Batzer, University Agricultural Experiment Station, Kearneysville; 2. William H. Childs, West Virginia University; 3. Ray Stanley Marsh, *ibid.;* 4. Richard H. Sudds, *ibid.;* 5. K. C. Westover, *ibid.*

Plant Pathology: 1. Julian Leach, West Virginia University; 2. L. H. Leonian, *ibid.;* 3. Virgil G. Lilly, *ibid.;* 4. C. R. Orton, *ibid.;* 5. Carlton F. Taylor, *ibid.*

Geology: 1. Thomas A. Bendrat, Beckley (W. Va.) College; 2. Harry M. Fridley, West Virginia University; 3. S. L. Galpin, *ibid.;* 4. James H. C. Martens, *ibid.*

Soils: 1. Eugene P. Deatrick, Ordinance Works, Morgantown; 2. Theodore C. McIlvaine, Lakin Experiment Station; 3. George E. Pohlman, West Virginia University; 4. Edward H. Tyner, *ibid.*

Forestry: 1. Lowell Besley, West Virginia University; 2. Harvey Erickson, *ibid.;* 3. Walter C. Percival, *ibid.*

Biology: 1. Thomas K. Chamberlain, United States Fish and Wildlife Service, Kearneysville; 2. J. E. Judson, West Virginia Wesleyan College.

Bacteriology: 1. Charles E. Gabel, city bacteriologist and chemist, Charleston, W. Va.; 2. E. A. Marten, West Virginia University.

Entomology: 1. Leonard M. Peairs, *ibid.;* 2. Leland H. Taylor, *ibid.*

Pharmacy: 1. Gordon A. Bergy, *ibid.;* 2. J. Lester Hayman, *ibid.*

Agronomy: 1. Ray J. Friant, *ibid.*

Animal nutrition: B. H. Schneider, *ibid.*

Animal Pathology: 1. John H. Reitz, *ibid.*

Dairy Husbandry. 1. H. O. Henderson, *ibid.*

Genetics: 1. Helen B. Smith-Stocking, Morgantown.

Geography: 1. Leslie M. Davis, Marshall College.

Parasitology: 1. Toye G. Davis, West Virginia State College, Institute.

Poultry Husbandry: 1. Horace Atwood, West Virginia University (retired).

APPENDIX C

Harrison County: 1. Ash, biology; 2. Bond, *ibid.;* 3. Ford, physics; 4. C. Hickman, zoology; 5. J. R. Hickman, entomology; 6. Hutson, *ibid.;* 7. James, physics; 8. Patterson, zoology; 9. Post, engineering (metallurgy); 10. Sheets, animal husbandry; 11. Sigley, mathematics; 12. G. V. Smith, engineering (metallurgy); 13. Strother, pharmacy; 14. Sutton, chemistry; 15. A. R. Winter, poultry husbandry.

Monongalia County: 1. R. G. Brown, botany; 2. Core, *ibid.*, 3. Fleming, medicine; 4. Hennen, geology; 5. B. W. Henry, forest pathology; 6. Otto Henry, engineering (metallography); 7. Johnston, physics; 8. Lazzell, chemistry; 9. S. J. Morris, medicine; 10. D. E. Phillips, psychology; 11. Paul Price, geology; 12. Reeves, *ibid.;* 13. Ryan, chemistry; 14. Wade, genetics; 15. Whistler, chemistry.

Wood County: 1. E. W. Bailey, science education; 2. Bender, chemistry; 3. Lee Bonar, botany; C. M. Brooks, medicine; 5. Cooper, geology; 6. W. W. Davis, chemistry; 7. G. O. Hall, poultry husbandry; 8. Johnson, geology (deceased); 9. Loomis, physics; 10. Maharam, mathematics; 11. Monroe, geology; 12. Rush, engineering; 13. Vierheller, horticulture; 14. Harvey White, physics; 15. Woodyard, *ibid.*

Marion County: 1. Reeve Bailey, zoology; 2. Blumberg, chemistry (biochemistry); 3. Hildreth, horticulture; 4. Joliffe, medicine (nutrition); 5. Macht, chemistry; 6. Moran, *ibid.*; 7. Satterfield, engineering; 8. Sharp, biology; 9. Six, geology; 10. Clark Sleeth, medicine; 11. Stevens, botany; 12. Wood, zoology; 13. Yost, physics.

Marshall County: 1. Martin Bonar, medicine; 2. Boyd, mathematics; 3. W. C. Brown, dairy husbandry; 4 .Hannibal Davis, mathematics; 5. Eddy, medicine (bacteriology); 6. Harkin, mathematics; 7. McElroy, engineering; 8. Riggs, physics; 9. Albert Scott, chemistry; 10. Margaret Swisher, *ibid;* 11. Teagarden, psychology; 12. Turner, mathematics; 13. Van Bibber, psychology.

Ohio County: 1. Beaumont, horticulture; 2. Brues, zoology; 3. Burke, dairy husbandry; 4. Gruse, chemistry; 5. Holliday, biology; 6. Lawson, engineering; 7. Loritsch, chemistry; 8. Ruth Miller, medicine; 9. Riker, plant pathology; 10. Sander, chemistry; 11. Stoops, *ibid.;* 12. Wenger, psychology; 13. Wheeler, mathematics.

Randolph County: 1. Bledsoe, horticulture; 2. Douglas, chemistry; 3. Hoover, *ibid.* (biochemistry); 4. Lineweaver, chemistry; 5. Arthur Martin, *ibid.*; 6. Murphy, plant pathology; 7. Parsons, agriculture; 8. Sedgwick Smith, animal physiology; 9. Talbot, parasitology (helminthology); 10. Ware, chemistry; 11. Benton Westfall, *ibid.;* 12. Joseph White, *ibid.* (electro-chemistry); 13. Raymond White, chemistry.

Upshur County: 1. A. B. Brooks, forestry; 2. Earle A. Brooks, biology; 3. Maurice Brooks, botany; 4. Currence, horticulture; 5. Clifford Cutright, entomology; 6. Paul Cutright, zoology; 7. Ervin, botany (cytology); 8. Herndon, engineering; 9. Iams, *ibid;* 10. Reger, geology; 11. Jonathan Westfall, botany; 12. Claude D. Williams, zoology.

Greenbrier County: 1. Arbuckle, chemistry; 2. Bowling, dairy husbandry; 3. Mason Crook, psychology; 4. Handley, ornithology; 5. Livesay, animal husbandry; 6. McMillion, zoology; 7. Preston, chemistry; 8. Eugene Surber, fisheries; 9. Thaddeus Surber, biology; 10. Wilson, animal husbandry.

Cabell County: 1. James H. Black, medicine (bacteriology); 2. Durea, psychology; 3. Marshall, chemistry; 4. Read, *ibid.;* 5. Reynolds, *ibid.;* 6. Riblett, *ibid.;* 7. Swann, *ibid.;* 8. Thornburg, mathematics.

Lewis County: 1. Cooper, geology; 2. Fahey, medicine (anatomy); 3. Ferry, plant anatomy; 4. Arthur Gould, chemistry; 5. Edwin Gould, entomology; 6. Hardman, chemistry; 7. Rafferty, medicine; 8. Charles D. Thomas, physics.

Preston County: 1. Ashburn, chemistry; 2. Barnes, engineering; 3. Bolyard, chemistry; 4. Crane, horticulture; 5. Parrack, medicine; 6. James Scott, *ibid.;* 7. Wolfe, engineering.

Berkeley County: 1. Dodds, agronomy; 2. Downs, engineering; 3. Light, mathematics; 4. Shaffer, medicine; 5. Augustine Smith, plant ecology; 6. Wintermoyer, chemistry.

Jackson County: 1. G. Hamilton Crook, psychology; 2. A. D. Hopkins, entomology; 3. Riley, medicine; 4. Starcher mathematics; 5. Starkey, animal husbandry; 6. Stine, agricultural economies.

Pocahontas County: 1. Anderson, genetics; 2. W. L. Brown, *ibid.;* 3. Burns, zoology; 4. McNeill, botany; 5. Emmett Price, parasitology; 6. Sterl A. Shrader, chemistry.

Fayette County: 1. Callihan, physics; 2. Darlington, plant ecology; 3. Gwinn, physics; 4. Larrison, chemistry; 5. Layton, *ibid.*

Nicholas County: 1. Paul Brooks, *ibid.;* 2. Dorsey, agronomy; 3. Hanna, psychology; 4. Muscari, engineering; 5. Walker, chemistry.

Tucker County: 1. Daughenbaugh, *ibid.* (biochemistry); 2. Enlows, medicine (bacteriology); 3. Lashley, psychology; 4. Paul Miller, dairy science; 5. Ralph Phillips, animal genetics.

Braxton County: 1. Bartlett, chemistry; 2. Bourn, plant physiology; 3. Dwight Hopkins, zoology; 4. Lloyd, geology.

Jefferson County: 1. Harry Bates, engineering; 2. Robert Bates, psychology; 3. Billmyer, engineering; 4. John Alexander Moore, zoology (embryology).

Kanawha County: 1. Echols, chemistry; 2. Lanham, *ibid.;* 3. Henrietta Morris, *ibid.;* 4. Noyes, physics.

Mercer County: 1. Garland Bailey, medicine; 2. Fisher, chemistry; 3. Hefner, mathematics; 4. Straley, geology.

Summers County: 1. Bailes, chemistry; 2. Berkley, fiber technology; 3. Fox, botany; 4. Harry Hill, physics.

Taylor County: 1. Casteel, zoology; 2. Dadisman, agricultural economics; Forman, engineering; A. A. Hall, engineering.

Tyler County: 1. Boreman, physics; 2. Fulton, plant pathology; 3. Benjamin Haught, psychology; 4. Wells, chemistry.

Barbour County: 1. Aspinall, *ibid.;* 2. Schoonover, *ibid.;* 3. Alpheus Smith, physics.

Grant County: 1. George, *ibid.;* 2. McNemar, psychology; 3. Sarver, chemistry.

Mason County: 1. Greenlee, *ibid.;* 2. McGraw, *ibid.;* 3. Simpson, medicine (emeritus).

Monroe County: 1. Carter, engineering; 2. Humphreys, physics; 3. Robert Spangler, botany.

Roane County: 1. Barnett, mathematics; 2. Duling, engineering; 3. Jennings, chemistry.

Wirt County: 1. Amos Black, mathematics; 2. Harley Morris, chemistry; 3. J. F. Robinson, geology.

Hancock County: 1. Brandon, chemistry; 2. Henderson, physics.

Mineral County: 1. Gilmore, chemistry; 2. John Haught, chemistry.

Morgan County: 1. Higgins, medicine; 2. Mrs. Nina M. Moore, mathematics.

Pendleton County: 1. Bowers, chemistry; 2. Pope, plant genetics.

Boone County: 1. Chambers, mathematics.

Calhoun County: 1. Marlowe, entomology.

Doddridge County: 1. Carl A. Swisher, chemistry.

Gilmer County: 1. Bailey Sleeth, plant pathology.

Hampshire County: 1. Hook, physics.

McDowell County: 1. Hyman, zoology.

Pleasants County: 1. Ellis, geology.

Putnam County: 1. Fife, chemistry.

Raleigh County: 1. Ross Spangler, physics.

Wayne County: 1. James L. Thomas, *ibid.*

Wetzel County: 1. Clark, chemistry.

x County: Joliffe, medicine (nutrition).

West Virginians in the American Revolution

Assembled and Edited by ROSS B. JOHNSTON

The sources of this material are from the files of the Pension Office at Washington, from various county records, from notes of patriotic societies, principally the Daughters of the American Revolution, Sons of the American Revolution, Sons of the Revolution, and from a large miscellaneous group of published and private sources. Corrections and additions to this list will receive the careful attention of the editor.

SAMMONS, JOHN
Service—N. J. and N. Y. Va. No. 16392 No. S. 6045

Born, Orange County, New York, 1758 or 1759. Residing in Essex County, New Jersey, or Orange County, New York at time of the Revolution. Enlisted and served seventeen months as a private under Captain Thomas Wolverton and Captain John Weizner of New Jersey and New York regiments, commanded by Colonel Martin, Colonel Nicholas and General Green and General Clinton. Took part in the Long Island campaigns. Names many other officers.

Received pension while living in Greenbrier County, Virginia, in 1833, which was later reduced. Supporting data filed by Richard Sammons, a nephew, and John Haptonstall.

SAMONS (Sammons, Simons, or Simmons), REUBEN
Service—New Jersey Va. N. J. 15340 No. S. 41121

Enlisted in Essex County, New Jersey, May 1, 1781 as a private under Captain William Helm or Helms in the Second New Jersey Regiment, commanded by Colonel Dehart. Took part in the Yorktown campaign. Received his discharge at Newburg, New York, on June 1, 1783. Pension granted in New Jersey in 1819 and transferred to Greenbrier County, Virginia in 1821. Supporting data submitted by Benjamin Bidlock.

SAMPKINS, THOMAS

Before the Wood County, Virginia court, June 3, 1818, Thomas Sampkins, aged 75, made affidavit that he had served as a private in the Revolutionary War in the company of Captain Thomas Porter of the First Virginia Regiment. He was in the battle of Germantown and at the siege of Yorktown when Cornwallis and his army were captured. He was discharged at Winchester in 1781.

SAMS, JONATHAN
Service—Virginia No. R. 9168

Born in Berkeley County, Virginia, November 19, 1762. While residing

on the Monongahela River in Pennsylvania or Virginia, Sams volunteered and served one month as an Indian spy at Deckers' Fort under Lieutenant Jones, commander of the fort. He volunteered and marched later from the neighborhood of Beesontown in Captain John Beeson's company, was in Colonel Crawford's Indian campaign, and in the battle of Sandusky when Crawford was captured. He subsequently served at several frontier stations, a part of the time under Captain John Evans in Monongalia County, protecting the inhabitants against the Indians. Had about five months additional service.

His application for pension in Wood County in 1833 was rejected as having been engaged only against the Indians since 1783 and not having had six months' service in a regularly organized military corps during the Revolutionary War.

SAMS (Sands), SAMUEL

Service—Virginia Va. No. 1911 No. S. 6049

In Augusta County, Virginia, substituted in the militia for six months for William Dickey in 1780, serving under Captain James Tate and Major Frank Triplett, Major Brooks, Colonel Howard and General Morgan. Marched to South Carolina and was in the battle of the Cowpens in 1781. He was with a company when Colonel Washington captured a hundred Tories at Rugleys' Mills. He was discharged at Salisbury, North Carolina, returned home, and was drafted in June for three months under Captain John Campbell, Major Long and Colonel Cameron. Took part in the siege and capture of Yorktown. He was in the battle of Jamestown where he was commanded by Captain John Dickey and Colonel Huggart, later under Colonel William Bowyer. In 1782, he substituted for three months for Hugh Brown under Lieutenant John McCarney against the Indians, serving most of this period at Clover Lick on the Greenbrier River.

He received pension in Monroe County, Virginia, 1832, at which time he was 74 years old. He was a comrade of Berryman Jones and Samuel Clark. Supporting data was submitted by the Rev. James Christy.

SANFORD, WILLIAM (Captain)

Official orders of the State of Virginia, September 25, 1807, stated that the representatives of William Sanford were entitled to land allowed a captain of the Virginia line, Continental Establishment, for seven years and ten months service. Warrants 5398 to 5404 were issued. He was second lieutenant, Second Virginia, September 21, 1775; lientenant, February 1776; Captain, December 25, 1776.

His will, recorded in Hampshire County, May 10, 1801, mentions his wife, Penelope; son, Thornton, and seven daughters: Harriett (Gaither), a widow in Kentucky; Nancy, wife of William Taylor; Emma, who, since death of William Sanford, married Jacob Johnson; Theresa, wife of Samuel Slycer; Sydney, 21; Eliza, 6; Myrtle, 7; and an infant son, Thornton. His widow later married Abraham Hawk.

SAPP, JOSEPH

Service—Delaware Va. No. 18448 No. S. 41122

Enlisted in the Revolutionary Army in Delaware in 1776 and was discharged owing to wounds, January 26, 1783. Served four years under Captains Caldwell, Holland, and Jacquets, and Colonels Patterson, Hall, and Vaughn. He was in the fighting at Creckolds Town, Staten Island, and Monmouth. In the surprise at Camden he was wounded in the arm by musket ball and buckshot. He was in the hospital at Charlotte three weeks. In the attack on Ninety-Six, he was again wounded. He was captured by the British and paroled by Colonel Croger, the British officer in charge of the prisoners. His final discharge was from Colonel Walter Stewart, inspector of the northern army.

He applied for a pension in Monongalia County, Virginia, in 1820, at which time the soldier was 60 years old, and his wife, Sara, 58. Their children were: Samuel, 21; Henry, 19; Elizabeth, 14. Pension was granted in 1822 and for a time Sapp drew one pension as an invalid and another only as a Revolutionary War soldier. He was dropped from the roll in 1824, but in 1826 the Secretary of War restored both pensions to him. Supporting data was filed for him by Colonel Ralph Berkshire, William Lazier, Thomas Wilson, and N. Evans.

SARGENT, JEREMIAH

The grave of Jeremiah Sargent, who served in the Revolutionary Army, is in a cemetery just above Lock No. 3 on the Little Kanawha River in Wirt County.

SAULSBURY, WILLIAM

Before the Pocahontas County court, September 5, 1832, William Saulsbury, aged 90, testified that he enlisted under Captain John Lewis, Lieutenant Samuel Vance, and Ensign Jacob Warwick in May, 1774, in Augusta County, now Bath, at the Warm Springs, and that he was in the battle of Point Pleasant in October of that year, and was discharged in November. He also served three months as a guard at Warwick's Fort, and had a total service of at least ten months. He names William Sharp as a possible supporting witness. The court declared that it believed Saulsbury to have had Revolutionary service and recommended a pension for him.

SAYRE, SEELEY

Born in Orange County, New York, May 7, 1751, and died in Hampshire County, Virginia, January 3, 1815. His place of residence during the Revolution was Florida, Orange County, New York. He entered service August 8, 1777, in the Fourth Regiment of Orange County Militia, commanded by Colonel John Hawthorne. His wife was Mary Thompson.

SCALES, NATHANIEL

Service—North Carolina Va. No. 23828 No. S. 18201

Born, April 13, 1758, Smith River, Pittsylvania County, Virginia. Lived in Rockingham and Henry County, Virginia, during the Revolution.

Enlisted under Captain John Leake and Lieutenant John Davis in the Virginia militia under Colonel James Martin and General Ruther at Rocky Springs, North Carolina, and took part in the campaign against the Chickasaw Indians, and also against the Tories. Mentions Adjutant Robert Martin, Colonel James Martin, Peasly, Grimes, Alexander, and others.

Pension granted in Cabell County, Virginia, in 1834. Supporting data filed by John Laidley and the Rev. Edmund McGinnis. The soldier died in Cabell County in 1834.

SCHOOLCRAFT, JOHN

Service—Virginia Va. No. 16590 No. S. 7468 and B. L. Wt. 307417

Born in Hampshire County, Virginia, February 13, 1757; resided in Ohio County, at the beginning of the Revolution; resided in Monongalia County, in 1782 and 1783; at termination of the war was in Lewis County.

Enlisted, February 1777, in Ohio County, and served under Captain Bilderbock as an Indian spy, and under Captains Mason, Van Swearingen, Christopher Carpenter, Colonels Zane, Shepherd, and General McIntosh. His pension application describes the attack on Fort Henry at Wheeling and on other frontier forts, including Fort Lawrence on the Tuscaroras River. He later joined the regular troops at Fort Pitt under Brodhead, and served in the Coshocton raid in 1780.

In Harrison County is recorded the marriage of Schoolcraft to Nancy Brown, July 18, 1805. Soldier applied for pension which was granted in Lewis County, Virginia, in 1833. Warrant for bounty land was also issued. Supporting data was filed by P. McCan, James Brown, Henry McWhorter, and Carr Bailey.

SCHREADER, JACOB

Service—Pennsylvania Va. No. 16020 No. S. 42002

Enlisted, Berks County, Pennsylvania, 1777 or 1778, and served until March 9, 1781, as a private under Captains Bull, Mousers, and Vanhorn in the Sixth Pennsylvania Regiment, commanded by Colonels Harmer and Hampton. Took part in the battle of Monmouth and aided in the capture of the ship Shrewsbury. Received pension while residing in Pendleton County, Virginia, in 1819. Had eight children, four girls and four boys. The oldest boy, nine years old, was crippled. The oldest girl was 17 years of age.

SCOTT, DAVID (Captain)

Born on the South Branch of the Potomac, but in 1779 moved to the present site of Granville, Monongalia County, West Virginia, which town was established by his son, Felix. He built one or more mills in the vicinity and was prominent in that vicinity.

In 1779, Indians murdered his daughters, Fanny and Phebe, as they were taking dinner to men in the hayfield. Later, a son, James, barely escaped capture. Captain Scott himself had sustained an injury in military service which caused the entire loss of his right forearm, and which enabled him to draw a pension. An old house, said to have been built by Captain Scott in 1776, was standing recently on the farm of the Gapen

family, who are descended from the youngest daughter of this pioneer settler.

SCOTT, JAMES

Service—Virginia Va. No. 2492 No. S. 6067

He was the son of Captain David Scott under whom he served as a musician in the Thirteenth Virginia Regiment, Continental Establishment, under Colonel Gibson and General McIntosh from the fall of 1776 to November, 1778. His father hired a substitute in 1779. He received a pension in Monongalia County, Virginia, in 1832. Supporting data was filed by Captain John Dent. The soldier died in 1839 and is buried in the Granville Cemetery, Monongalia County, West Virginia.

SCOTT, GEORGE (Lieutenant)

Served as a second lieutenant in Captain Stephenson's company of riflemen.

SCOTT, JOHN

In the Monongalia County court, November 13, 1810, Jacob Scott made oath that David Scott was the heir-at-law of John Scott, who died while in service in the Thirteenth Virginia Regiment of the Continental Line, during the Revolutionary War. Sufficient evidence having been produced, Land Bounty Warrant No. 5900 was issued, January 7, 1811.

SCOTT, JOHN E. (Lieutenant)

The heirs of John E. Scott were allowed land bounty for service as a lieutenant in the Thirteenth Virginia Regiment of the Continental Line, during the Revolution, as of November 18, 1811. His will, dated October 25, 1805, is filed in Hancock County, West Virginia, and certified as of April 11, 1811.

SCOTT, WILLIAM

Service—Virginia Va. No. 18884 No. 38356

Born, 1751. Enlisted in Berkeley County, Virginia, late in the summer of 1777 and served as a private in the Fourth Virginia Regiment, in the company of Captain James Lucas, commanded by Colonel Robert Lawson. Served two years in the Continental Establishment. Continued in service until April, 1779, when he hired a substitute. He was at Middlebrook in the Jerseys, in the battle of Monmouth, and in some small skirmishes while the British were in Philadelphia. No evidence of his servce is found other than the affidavit of Colonel David Hunter who swore that he knew him and had been informed by different Revolutionary officers that Scott had been in service and had acquitted himself with honor. Pension was granted him in Berkeley County, Virginia, in 1823. Mention is also made of Alexander Scott, but without indication of his family connection.

SEABURN, JOHN

Was a corporal in Captain Shepherd's company of riflemen. Died in prison, January 15, 1777.

SEAMAN, WILLIAM

Enlisted as a private in Captain Shepherd's company. He was captured at Fort Washington, November 16, 1776, but was released near summer on parole. He returned to his home and died near Darkesville.

SEASE, Sea, Sees, Cees, or Cease), MICHAEL

Service—Penna. Va. No. 23041 No. S. 9475 and B. L. Wt. 95257

Born, Lancaster County, Pennsylvania, 1764; resided in Westmoreland County, during the Revolution. Enlisted, April 1, 1782, under Ensign Gageby, and Captains Johnson and Wilkinson in Major Craig's Regiment., under Colonels Campbell, Martin, and Streets.

Married, February 24, 1808, in Westmoreland County to Rebecca Miller, with Christopher Barrier, Presbyterian minister, officiating. Pension was issued to soldier while living in Harrison County, in 1833, but was later dropped from the rolls. The widow, aged 84 in 1860, likewise seems to have been refused a pension, but bounty land warrant for 160 acres was issued in that year. Supporting data was submitted by H. Gass, William Martin, Jacob Lees, Sam Miller, and Adam Padabaugh Martin.

SEIBERT, WENDEL

The home of Wendel Seibert, who was a soldier in the Revolutionary War, was built in Berkeley County in 1791 and is still standing, and occupied by his descendants.

SELMAN, JOSEPH

Service—Virginia Va. No. 20177 No. S. 38361

Enlisted in 1776 in Virginia in the company of Captain Lee or Leigh in the First Regiment of Virginia regulars under Colonel George Gibson, for a period of three years; marched to Valley Forge where he was put under Captain Hefler and attached to regiment of Colonel Feebecker, under General Washington. Was later transferred to Colonel Posey's Regiment, in General Wayne's army. After expiration of his term of enlistment, was discharged, and then re-enlisted for another year, most of which was spent in the South. Took part in the battle of Monmouth, the taking of Stony Point, and the battle of Cowpens. He was discharged at Philadelphia. Received pension in Harrison County, 1830, at which time he was 80 years of age.

SESSLEY, JOHN

Service—Penna. Va. No. 14298 No. S. 38189

Enlisted in Bedford, Pennsylvania, in 1775 a few days after the battle of Bunker Hill and served as a private under Captain Cluggett in a Pennsylvania regiment. Was honorably discharged after a year at Graves End, New York. Enlisted in the Continental Army as a private in the spring of 1777 in Captain Archibald McAllister's company in the brigade of Colonel Hartley of Little York, under Brigadier General Anthony Wayne. Applied for pension which was granted in Berkeley County, Virginia, in 1819. His wife, Sarah, was 60 years old in 1820. The soldier died in Michigan about 1832.

SEXTON, NOAH

The grave of Noah Sexton, a veteran of the Revolutionary War, is in the French Creek Cemetery, Meade District, Upshur County.

SEYMOUR, FELIX

Born in England in 1725 and died in Hampshire County, Virginia, February 1798. During the Revolution his residence was Moorefield, Virginia. He was married to Margaret Renick in 1752. Soldier enlisted May 26, 1776, under Captain Casewell in the Fifth Company of North Carolina troops, and was discharged, February 8, 1780.

SHAFER, PETER

Service—Pennsylvania No. R. 9411

Born in Lancaster, Pennsylvania, February 1760 and there enlisted in the Pennsylvania militia in 1776. Served three enlistment periods of three months each under Captains Petree, Rubley, and Groush, under Colonels Greenwald, Masteller, and Generals Washington, Wayne, and Muhlenberg as a convoy for ammunition and baggage wagons. Came to Martinsburg, Berkeley County, Virginia, in 1793, and there applied for pension in 1834. Supporting affidavits offered by Gregory Maxwell, Harrison Shover, the Rev. N. Young, and George Porterfield.

SHANER (Shaver), GEORGE

Service—Virginia Va. No. 7130 No. S. 38370

Enlisted at Shepherdstown, Virginia, in 1781 and served until 1783 under Captains Bedinger and Kirkpatrick in the Fifth Virginia Regiment, commanded by Colonels Gaskins and Posey in Von Steuben's Brigade. After the surrender of Cornwallis, marched to Savannah, Georgia, under Colonel Posey, and joined the troops under General Wayne at Charleston, South Carolina. Received pension in Jefferson County, Virginia, in 1819, which was dropped in 1820, but was restored in 1825. Soldier was 71 years old in 1820 and his wife 54. Supporting data filed by Jacob Haynes and Captain Henry Bedinger.

SHANK (Schenck in German) CHRISTIAN

Service—Md. and N. J. Va. No. 2360 No. W. 19344

Born, Germany, 1751, and died in Morgan County, Virginia, March 22, 1836. Enlisted in Sussex County, New Jersey, and in Middleton, Maryland, in 1776 and in 1781, and served as private and corporal under Captains Sowers, Troutman, and Shaeffer in the Flying Camp contingent under Colonel Maston or Martin, and Generals Sullivan, Putnam, and Lord Sterling. Took part in the campaigns on Long Island. Was discharged from Michael Troutman's company.

Married Juliana Schmitin, May 30, 1781, Middleton, Maryland. She was born June 4, 1762. Their children were: George, July, 1782; Christian, 1784; John, 1786; Anna Marie, 1788; Catherine, 1789; Jacob, 1792 (died in 1793); Elizabeth, 1794; Susanna, 1797; Anna, 1801; Sara, 1803. Pension was issued to soldier in Morgan County, 1832, and to his widow in 1837.

SHARP, JOHN

Service—Penna. Va. No. 8279 No. S. 38367 and 25437

Enlisted in Lancaster County, Pennsylvania, in 1777 and served until 1781 in the company of Captain James Taylor in the Fifth Pennsylvania Regiment, under Colonels Carpenter and Ewell in Continental Establishment under General Wayne. Participated in the battles of Brandywine, Germantown, and Stony Point. Received honorable discharge from Captain Thomas Bund at Reading, Pennsylvania, in 1781, at which time he was too ill for service. Soldier received pension in Harrison County, Virginia, in 1819, at which time he was 64 years old and his wife 67. Supporting data submitted by Elizabeth Kennedy.

SHARP, SPENCER

Enlisted in western Virginia in 1781 under Captain Robert Warren. Applied for pension, December 27, 1849, at Marietta, Washington County, Ohio, but claim was rejected.

SHARP, WILLIAM

Before the Pocahontas County, Virginia, court, September 4, 1832, William Sharp, aged 92, testified that he was drafted into service in the Revolutionary War in January, 1781, while living in that part of West Augusta, now included in Pocahontas County. He served under Ensign James Tumbler and Captain William Kincaid in a company of Colonel Sampson Mathews' regiment, was marched to Portsmouth, engaged in skirmish with the British, and remained there until the following spring when he was discharged.

During the summer of 1774 he served with Captain Andrew Lockridge of Bath County, against the Indians. With William Mann, he was sent by Colonel Andrew Lewis with a message to Lord Dunmore who was then at Fort Pitt, Pittsburgh, and did not return until the day following the battle of Point Pleasant. He had also served under Captain Charles Lewis in 1764 and 1765 in the expedition against the Indians on the Muskingum River. He names John Bradshaw as a witness to his service.

SHAVER, PAUL

Born in Pendleton County, Virginia, in 1759, son of Paul Shaver, who died on the South Branch, 1772. Served as an Indian spy in Randolph County, in 1776 for six months under Captain Maxwell. In 1777, volunteered in the Virginia militia under Captain Stuart for the defense of the western waters. Marched from Randolph to West's Fort. He was detached for spy duty. Joined the troops under General George Rogers Clark in the expedition which captured Vincennes and the Illinois country. He remained there under Captain Kincaid or Kinkead until 1780. Received a wound in the right leg at Andersontown. Pension was granted in Lewis County, Virginia, in 1833, but was later suspended.

SHAVER, PETER

Served as an Indian ranger and spy in the Revolution. He was born

in Pendleton County, Virginia, the son of Paul Shaver, whose other sons were George, John and Paul.

Peter married Sara Riggle; their sons were John, James, Jacob, and Francis. Francis married Phoebe Hall; their children were Susanna, Sara, John, James, Jacob, Hezekiah, Frances Riffle, George W., Mary, Eleanor, and Edward. James married Elizabeth Campbell; they had eight children, one of whom was John Riffle Shaver. John Riffle Shaver married Sara Cunningham and they were the parents of eight children, among them being Clem L. Shaver of Fairmont, West Virginia, and Washington, D. C.

Book Review

ORIGINS OF THE AMERICAN REVOLUTION. By John C. Miller (Boston: Little, Brown and Company, 1943). Pp. xiv, 519. $3.50.

Students of the American Revolution who have been indoctrinated with the views of recent historians have had difficulty in understanding why the colonials rose in revolt against the British government. If the conclusions of some of our well-known historians are sound, our forefathers magnified their grievances and went to extremes in their opposition that were not warranted by actual conditions. The acceptance of this view does not necessarily mean that the colonies had no right to secede from the empire. By 1776 the English continental colonies were grown up and were ready to leave the parental roof and make a separate home for themselves. If the colonies had been less insistent upon their "rights" and more conscious of their obligations, and if the mother country had shown more wisdom and sacrificial sympathy in dealing with her obstreperous daughters, a peaceable adjustment of the problem might have been made. That the difficulty found its solution in a bitter, bloody family quarrel was the tragedy of the American Revolution.

The present volume goes far toward modifying this view. The author is fair in his presentation and interpretation of the facts, but the evidence offered is more favorable to the Americans than that given by some of our high authorities on the causes of the Revolution.

As would be expected from the title, this work is concerned almost entirely with the decade that intervened between the French and Indian War and the War for American Independence. The policies of the imperial government which caused dissatisfaction in America are listed and in the main their significance is correctly appraised. Such minor causes of ill feeling as the attitude of superiority shown by the British toward the Americans; colonial prejudice against and fear of Catholicism; and the ineptitude of British imperial administration are given due consideration. It is pointed out that these surface irritations fretted and aggravated the deeper causes of disagreement.

Underneath these surface disputes there lay deep fundamental differences between the political ideology of the British and the Americans. According to the American view the British empire was an association of free commonwealths under one king. Parliament was restricted in its authority by the English constitution and natural rights. Even under these limitations it could not legislate for the colonies except in a very general way. The colonial assemblies were to the colonies what Parliament was to Britian. These assemblies had the power to make laws and levy taxes on the colonials. Parliament could regulate the external commerce of the colonies but could not tax them. The colonials feared that if they yielded on this point they would be completely at the mercy of a tyrannical Parliament.

The British, on the other hand, did not recognize the colonial assem-

blies as local Parliaments. The Parliament in England had legislative authority over all the empire and was limited in its power, not by natural right but only by the English constitution—and that as interpreted by Parliament. The right to tax all portions of the empire was an incident of sovereignty and to deny this right would be to reduce Parliament to impotence. If the American idea as to the nature of the empire—that the colonial assemblies were parliaments and the empire was a federation of political entities—every town and county in England would make the same claim and the realm would fall to pieces. There was thus an irrepressible conflict between these two positions. This conflict was intensified by the fear that if either side made concessions it would be yieldng the whole principle.

The situation was also complicated by the exaggerated view that each side had—or rather expressed—of the other's shortcomings. The patriot leaders represented the British ruling class as a luxury-loving, greedy, graft-ridden, and immoral race, while the English writers held up the Americans as cowardly, hypocritical, and crude backwoodsmen. There were, however, a few British writers who dissented from this view and predicted a glorious future for the Americans. One of these in 1766 declared that if the Americans were treated as allies they might some day prove Great Britain's salvation in war. Another in 1769 prophesied that the Americans—the most powerful people in the world—would by 1944 visit the ruins of London.

The average reader has difficulty in understanding why our fathers objected so strenuously to the taxes which Parliament at this time was trying to impose on them. These taxes were not onerous and the duties of the Townshend Act affected only four articles. It was feared, however, that if the principle of Parliamentary taxation were once accepted, crushing burdens would later be saddled upon them. The initial attempts at taxation were, in their opinion, only trial balloons to test the temper of the Americans. Hamilton warned that if the colonials should acquiesce in these first attempts of Parliament to raise a revenue they would soon be paying taxes on everything. "Perhaps before long," he said, "your tables, chairs, and platters, and dishes, and knives, and forks, and everything else, would be taxed. Nay, I don't know but they would find means to tax you for . . . every kiss your daughters received from their sweethearts . . . and that would ruin you."

Just why the radical Whigs were able to push forward the revolutionary movement in opposition to the conservative Tories has also been something of a mystery. When it is recalled that the Tories were numerous in all the colonies, that they constituted a majority of the wealthy upper class in the Northern and Middle colonies, and that they were backed by the royal government, one wonders why they made such a poor showing against the radical patriots. Professor Miller wrestles vigorously with this anomaly. He shows that the radicals were organized, with the Sons of Liberty at their back; the newspaper press, which was almost solidly behind them, proved a most effective propaganda agency; and they had the slogans, such as "no taxation without representation," on their side. Besides, the loyalists were not adequately supported by the royal

officials. The opposition of the radicals was encouraged by the weakness of British authority in the colonies and by its policy of appeasement. The radicals regarded the imperial government as a quarrelsome but powerless old woman.

This work is remarkably free from mistakes. The proofreading was well done and no misprints have been found. One slip, however, should be noted. The rattle of musketry which proved to be the spark that plunged Europe into the Seven Years' War did not occur upon an Ohio meadow, as is stated on page 94, but on the slope of a mountain in Pennsylvania.

This work has the unusual merit of being both scholarly and well written. The numerous references to primary sources seem to meet the demands of the most exacting scholarship. And yet the style is clear, interesting, and in places brilliant. It is interlaced with apt figures of speech and catchy expressions that might well arouse the emulation of our best journalist historians. In short this work is easily the best treatise on the causes of the American Revolution that has come to the knowledge of this reviewer.

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